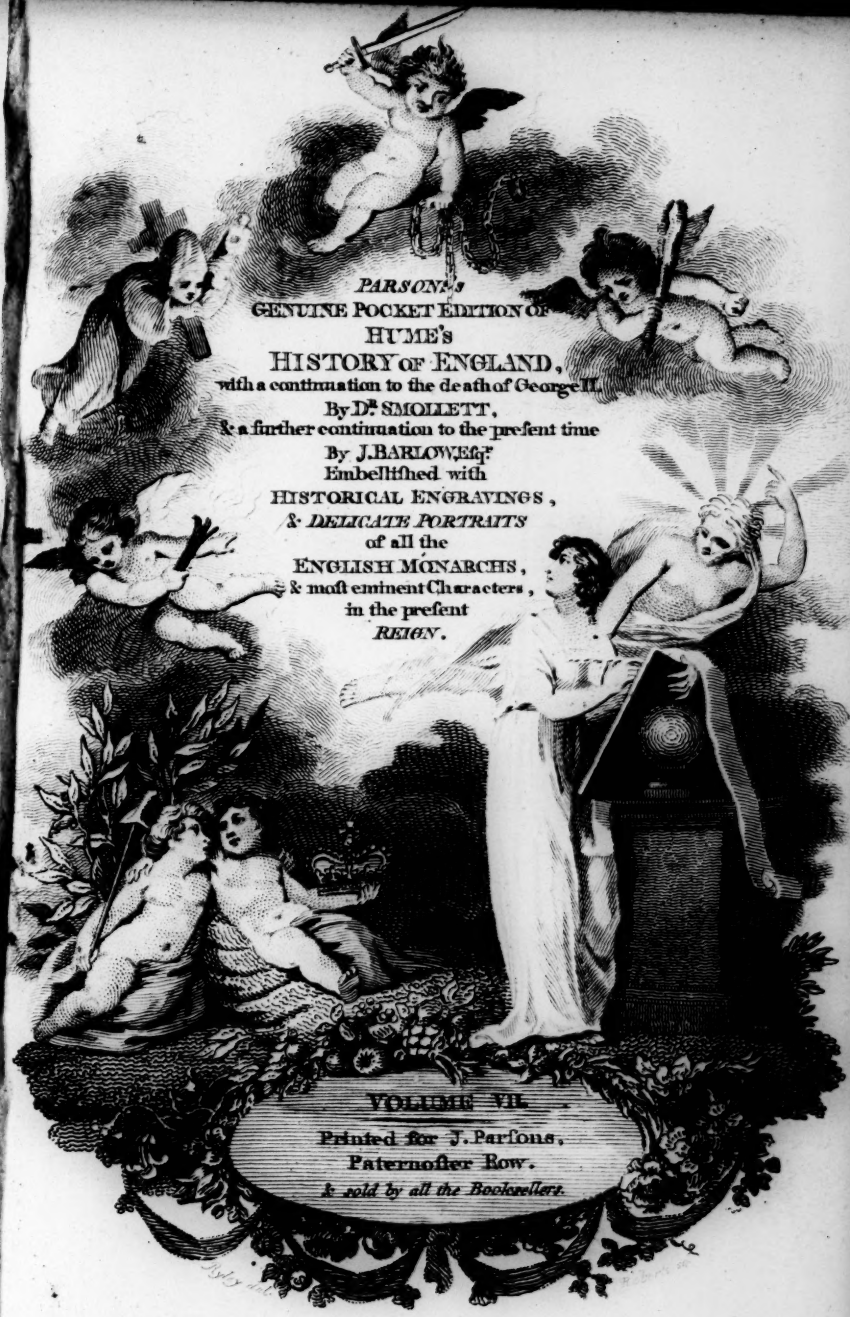

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FROM THE

INVASION OF JULIUS CÆSAR

TO

The Revolution in 1688.

By DAVID HUME, Esq.

TO WHICH IS PREFIXED,

A SHORT ACCOUNT OF HIS LIFE,

WRITTEN BY HIMSELF.

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(1599.) THOUGH the dominion of the Engliſh over Ireland had been ſeemingly eſtabliſhed above four centuries, it may ſafely be affirmed, that their authority had hitherto been little more than nominal. The Iriſh princes and nobles, divided among themſelves, readily paid the exterior marks of obeiſance to a power which they were not able to reſiſt; but as no durable force was ever kept on foot to retain them in their duty, they relapſed ſtill into their former ſtate of independence. Too weak to introduce order and obedience among the rude inhabitants, the Engliſh authority was yet ſufficient to check the growth of any enterpriſing genius among the natives: And though it could beſtow no true form of civil government, it was able to prevent the riſe of any ſuch form, from the internal combination or policy of the Iriſh.

Moſt of the Engliſh inſtitutions likewiſe by which that iſland was governed, were to the laſt degree abſurd,

and ſuch as no ſtate before had ever thought of, for preſerving dominion over its conquered provinces.

The Engliſh nation, all on fire for the project of ſubduing France, a project whoſe ſucceſs was the moſt improbable, and would to them have proved the moſt pernicious; neglected all other enterpriſes, to which their ſituation ſo ſtrongly invited them, and which in time would have brought them an acceſſion of riches, grandeur, and ſecurity. The ſmall army which they maintained in Ireland they never ſupplied regularly with pay; and as no money could be levied on the iſland, which poſſeſſed none, they gave their ſoldiers the privilege of free quarter upon the natives. Rapine and inſolence inflamed the hatred which prevailed between the conquerors and the conquered: Want of ſecurity among the Iriſh introducing deſpair, nouriſhed ſtill more the ſloth natural to that uncultivated people.

But the Engliſh carried farther their ill-judged tyranny. Inſtead of inviting the Iriſh to adopt the more civilized cuſtoms of their conquerors, they even refuſed, though earneſtly ſolicited, to communicate to them the privilege of their laws, and every-where marked them out as aliens and as enemies. Thrown out of the protection of juſtice, the natives could find no ſecurity but in force; and flying the neighbourhood of cities, which they could not approach with ſafety, they ſheltered themſelves in their marſhes and foreſts from the inſolence of their inhuman maſters. Being treated like wild beaſts, they became ſuch; and joining the ardour of revenge to their yet untamed barbarity, they grew every day more intractable and more dangerous.

As the Engliſh princes deemed the conqueſt of the diſperſed Iriſh to be more the object of time and patience than the ſource of military glory, they willingly delegated that office to private adventurers, who, inliſting ſoldiers at their own charge, reduced provinces of that iſland, which they converted to their own profit. Separate juriſdictions and principalities were eſtabliſhed by theſe lordly conquerors: The power of peace and war was aſſumed; Military law was exerciſed over the Iriſh, whom

whom they ſubdued; and by degrees over the Engliſh, by whoſe aſſiſtance they conquered: And, after their authority had once taken root, deeming the Engliſh inſtitutions leſs favourable to barbarous dominion, they degenerated into mere Iriſh, and abandoned the garb, language, manners, and laws of their mother-country.

By all this imprudent conduct of England, the natives of its dependant ſtate remained ſtill in that abject condition, into which the northern and weſtern parts of Europe were ſunk, before they received civility and ſlavery from the refined policy and irreſiſtible bravery of Rome. Even at the end of the ſixteenth century, when every chriſtian nation was cultivating with ardour every civil art of life, that iſland, lying in a temperate climate, enjoying a fertile ſoil, acceſſible in its ſituation, poſſeſſed of innumerable harbours, was ſtill, notwithſtanding theſe advantages, inhabited by a people whoſe cuſtoms and manners approached nearer thoſe of ſavages than of barbarians.

As the rudeneſs and ignorance of the Iriſh were extreme, they were ſunk below the reach of that curioſity and love of novelty, by which every other people in Europe had been ſeized at the beginning of that century, and which had engaged them in innovations and religious diſputes, with which they were ſtill ſo violently agitated. The ancient ſuperſtition, the practices and obſervances of their fathers, mingled and polluted with many wild opinions, ſtill maintained an unſhaken empire over them; and the example alone of the Engliſh was ſufficient to render the reformation odious to the prejudiced and diſcontented Iriſh. The old oppoſition of manners, laws, and intereſt, was now inflamed by religious antipathy; and the ſubduing and civilizing of that country ſeemed to become every day more difficult and more impracticable.

The animoſity againſt the Engliſh was carried ſo far by the Iriſh, that, in an inſurrection raiſed by two ſons of the earl of Clanricarde, they put to the ſword all the inhabitants of the town of Athenry, though Iriſh; becauſe they began to conform themſelves to Engliſh cuſtoms,

cuſtoms, and had embraced a more civilized form of life than had been practiſed by their anceſtors.

The uſual revenue of Ireland amounted only to ſix thouſand pounds a year: The queen, though with much repining, commonly added twenty thouſand more, which ſhe remitted from England: And with this ſmall revenue a body of a thouſand men was ſupported, which on extraordinary emergencies was augmented to two thouſand. No wonder that a force ſo diſproportioned to the object, inſtead of ſubduing a mutinous kingdom, ſerved rather to provoke the natives, and to excite thoſe frequent inſurrections, which ſtill farther inflamed the animoſity between the two nations, and increaſed the diſorders to which the Iriſh were naturally ſubject.

In 1560, Shan O'Neale, or the great O'Neale, as the Iriſh called him, becauſe head of that potent clan, raiſed a rebellion in Ulſter; but after ſome ſkirmiſhes he was received into favour upon his ſubmiſſion, and his promiſe of a more dutiful behaviour for the future. This impunity tempted him to undertake a new inſurrection in 1567; but being puſhed by ſir Henry Sidney, lord deputy, he retreated into Clandeboy, and rather than ſubmit to the Engliſh, he put himſelf into the hands of ſome Scottiſh iſlanders who commonly infeſted thoſe parts by their incurſions. The Scots, who retained a quarrel againſt him on account of former injuries, violated the laws of hoſpitality, and murdered him at a feſtival to which they had invited him. He was a man equally noted for his pride, his violence, his debaucheries, and his hatred to the Engliſh nation. He is ſaid to have put ſome of his followers to death becauſe they endeavoured to introduce the uſe of bread after the Engliſh faſhion. Though ſo violent an enemy to luxury, he was extremely addicted to riot; and was accuſtomed, after his intemperance had thrown him into a fever, to plunge his body into mire that he might allay the flame which he had raiſed by former exceſſes. Such was the life led by this haughty barbarian, who ſcorned the title of the earl of Tyrone, which Elizabeth intended to have reſtored to him, and who aſſumed the rank

rank and appellation of king of Ulſter. He uſed alſo to ſay, that though the queen was his ſovereign lady, he never made peace with her but at her ſeeking.

Sir Henry Sidney was one of the wiſeſt and moſt active governors that Ireland had enjoyed for ſeveral reigns; and he poſſeſſed his authority eleven years; during which he ſtruggled with many difficulties, and made ſome progreſs in repreſſing thoſe diſorders which had become inveterate among the people. The earl of Deſmond, in 1569, gave him diſturbance, from the hereditary animoſity which prevailed between that nobleman and the earl of Ormond, deſcended from the only family eſtabliſhed in Ireland, that had ſteadily maintained its loyalty to the Engliſh crown. The earl of Thomond, in 1570, attempted a rebellion in Connaught, but was obliged to fly into France before his deſigns were ripe for execution. Stukely, another fugitive, found ſuch credit with the pope, Gregory the XIIIth, that he flattered that pontiff with the proſpect of making his nephew, Buon Compagno, king of Ireland; and as if this project had already taken effect, he accepted the title of marquis of Leiceſter from the new ſovereign. He paſſed next into Spain; and after having received much encouragement and great rewards from Philip, who intended to employ him as an inſtrument in diſturbing Elizabeth, he was found to poſſeſs too little intereſt for executing thoſe high promiſes which he had made to that monarch. He retired into Portugal; and following the fortunes of don Sebaſtian, he periſhed with that gallant prince in his bold but unfortunate expedition againſt the Moors.

Lord Gray, after ſome interval, ſucceeded to the government of Ireland; and in 1579 ſuppreſſed a new rebellion of the earl of Deſmond, though ſupported by a body of Spaniards and Italians. The rebellion of the Bourks followed a few years after; occaſioned by the ſtrict and equitable adminiſtration of ſir Richard Bingham, governor of Connaught, who endeavoured to repreſs the tyranny of the chieftains over their vaſſals. The queen, finding Ireland ſo burdenſome to her, tried

ſeveral

ſeveral expedients for reducing it to a ſtate of greater order and ſubmiſſion. She encouraged the earl of Eſſex, father to that nobleman who was afterwards her favourite, to attempt the ſubduing and planting of Clandeboy, Ferny, and other territories, part of ſome late forfeitures: But that enterpriſe proved unfortunate; and Eſſex died of a diſtemper occaſioned, as is ſuppoſed, by the vexation which he had conceived from his diſappointments. An univerſity was founded in Dublin with a view of introducing arts and learning into that kingdom, and civilizing the uncultivated manners of the inhabitants. But the moſt unhappy expedient employed in the government of Ireland was that made uſe of in 1585 by ſir John Perrot, at that time lord deputy: He put arms into the hands of the Iriſh inhabitants of Ulſter, in order to enable them, without the aſſiſtance of the government, to repreſs the incurſions of the Scottiſh iſlanders, by which theſe parts were much infeſted. At the ſame time, the invitations of Philip, joined to their zeal for the catholic religion, engaged many of the gentry to ſerve in the Low Country wars: And thus Ireland being provided with officers and ſoldiers, with diſcipline and arms, became formidable to the Engliſh, and was thenceforth able to maintain a more regular war againſt her ancient maſters.

Hugh O'Neale, nephew to Shan O'Neale, had been raiſed by the queen to the dignity of earl of Tyrone; but having murdered his couſin, ſon of that rebel, and being acknowledged head of his clan, he preferred the pride of barbarous licence and dominion to the pleaſures of opulence and tranquillity, and he fomented all thoſe diſorders by which he hoped to weaken or overturn the Engliſh government. He was noted for the vices of perfidy and cruelty, ſo common among uncultivated nations; and was alſo eminent for courage, a virtue which their diſorderly courſe of life requires, and which notwithſtanding, being leſs ſupported by the principle of honour, is commonly more precarious among them, than among a civilized people. Tyrone, actuated by this ſpirit, ſecretly fomented the diſcontents of the Maguires,

Maguires, O'Donnels, O'Rourks, Macmahons, and other rebels; yet, trusting to the influence of his deceitful oaths and professions, he put himself into the hands of sir William Russel, who, in the year 1594, was sent over deputy to Ireland. Contrary to the advice and protestation of sir Henry Bagnal, marshal of the army, he was dismissed; and returning to his own country, he embraced the resolution of raising an open rebellion, and of relying no longer on the lenity or inexperience of the English government. He entered into a correspondence with Spain: He procured thence a supply of arms and ammunition: And having united all the Irish chieftains in a dependance upon himself, he began to be regarded as a formidable enemy.

The native Irish were so poor, that their country afforded few other commodities than cattle and oatmeal, which were easily concealed or driven away on the approach of the enemy; and as Elizabeth was averse to the expense requisite for supporting her armies, the English found much difficulty in pushing their advantages, and in pursuing the rebels into the bogs, woods, and other fastnesses, to which they retreated. These motives rendered sir John Norris, who commanded the English army, the more willing to hearken to any proposals of truce or accommodation made him by Tyrone; and after the war was spun out by these artifices for some years, that gallant Englishman, finding that he had been deceived by treacherous promises, and that he had performed nothing worthy of his ancient reputation, was seized with a languishing distemper, and died of vexation and discontent. Sir Henry Bagnal, who succeeded him in the command, was still more unfortunate. As he advanced to relieve the fort of Blackwater, besieged by the rebels, he was surrounded in disadvantageous ground; his soldiers, discouraged by part of their powder's accidentally taking fire, were put to flight; and though the pursuit was stopped by Montacute, who commanded the English horse, fifteen hundred men, together with the general himself, were left dead upon the spot. This victory, so unusual to

the Iriſh, rouſed their courage, ſupplied them with arms and ammunition, and raiſed the reputation of Tyrone, who aſſumed the character of the deliverer of his country, and patron of Iriſh liberty.

The Engliſh council were now ſenſible, that the rebellion of Ireland was come to a dangerous head, and that the former temporiſing arts of granting truces an pacifications to the rebels, and of allowing them to purchaſe pardons by reſigning part of the plunder acquired during their inſurrection, ſerved only to encourage the ſpirit of mutiny and diſorder among them. It was therefore reſolved to puſh the war by more vigorous meaſures; and the queen caſt her eye on Charles Blount, lord Mountjoy, as a man, who, though hitherto leſs accuſtomed to arms than to books and literature, was endowed, ſhe thought, with talents equal to the undertaking. But the young earl of Eſſex, ambitious of fame, and deſirous of obtaining this government for himſelf, oppoſed the choice of Mountjoy; and repreſented the neceſſity of appointing for that important employment ſome perſon more experienced in war than this nobleman, more practiſed in buſineſs, and of higher quality and reputation. By this deſcription he was underſtood to mean himſelf; and no ſooner was his deſire known, than his enemies, even more zealouſly than his friends, conſpired to gratify his wiſhes. Many of his friends thought that he never ought to conſent, except for a ſhort time, to accept of any employment which muſt remove him from court, and prevent him from cultivating that perſonal inclination which the queen ſo viſibly bore him. His enemies hoped, that if by his abſence ſhe had once leiſure to forget the charms of his perſon and converſation, his impatient and lofty demeanour would ſoon diſguſt a princeſs who uſually exacted ſuch profound ſubmiſſion and implicit obedience from all her ſervants. But Eſſex was incapable of entering into ſuch cautious views; and even Elizabeth, who was extremely deſirous of ſubduing the Iriſh rebels, and who was much prepoſſeſſed in favour of Eſſex's genius, readily agreed to appoint him governor of Ireland,

land, by the title of lord lieutenant. The more to encourage him in his undertaking, ſhe granted him by his patent more extenſive authority than had ever before been conferred on any lieutenant; the power of carrying on or finiſhing the war as he pleaſed, of pardoning the rebels, and of filling all the moſt conſiderable employments of the kingdom. And to enſure him of ſucceſs, ſhe levied a numerous army of ſixteen thouſand foot and thirteen hundred horſe, which ſhe afterwards augmented to twenty thouſand foot and two thouſand horſe: A force which, it was apprehended, would be able in one campaign to overwhelm the rebels, and make an entire conqueſt of Ireland. Nor did Eſſex's enemies, the earl of Nottingham, ſir Robert Cecil, ſir Walter Raleigh, and lord Cobham, throw any obſtacles in the way of theſe preparations; but hoped that the higher the queen's expectations of ſucceſs were raiſed, the more difficult it would be for the event to correſpond to them. In a like view, they rather ſeconded than oppoſed thoſe exalted encomiums, which Eſſex's numerous and ſanguine friends diſperſed, of his high genius, of his elegant endowments, his heroic courage, his unbounded generoſity, and his noble birth; nor were they diſpleaſed to obſerve that paſſionate fondneſs which the people every-where expreſſed for this nobleman. Theſe artful politicians had ſtudied his character; and finding that his open and undaunted ſpirit, if taught temper and reſerve from oppoſition, muſt become invincible, they reſolved rather to give full breath to thoſe ſails which were already too much expanded, and to puſh him upon dangers of which he ſeemed to make ſuch ſmall account. And the better to make advantage of his indiſcretions, ſpies were ſet upon all his actions and even expreſſions; and his vehement ſpirit, which, while he was in the midſt of the court and environed by his rivals, was unacquainted with diſguiſe, could not fail, after he thought himſelf ſurrounded by none but friends, to give a pretence for malignant ſuſpicions and conſtructions.

Eſſex left London in the month of March, attended with the acclamations of the populace; and what did him more honour, accompanied by a numerous train of nobility and gentry, who, from affection to his perſon, had attached themſelves to his fortunes, and ſought fame and military experience under ſo renowned a commander. The firſt act of authority which he exerciſed after his arrival in Ireland, was an indiſcretion, but of the generous kind; and in both theſe reſpects ſuitable to his character. He appointed his intimate friend, the earl of Southampton, general of the horſe; a nobleman who had incurred the queen's diſpleaſure, by ſecretly marrying without her conſent, and whom ſhe had therefore enjoined Eſſex not to employ in any command under him. She no ſooner heard of this inſtance of diſobedience than ſhe reprimanded him, and ordered him to recal his commiſſion to Southampton. But Eſſex, who had imagined that ſome reaſons which he oppoſed to her firſt injunctions had ſatisfied her, had the imprudence to remonſtrate againſt theſe ſecond orders; and it was not till ſhe reiterated her commands, that he could be prevailed on to diſplace his friend.

Eſſex, on his landing at Dublin, deliberated with the Iriſh council concerning the proper methods of carrying on the war againſt the rebels; and here he was guilty of a capital error, which was the ruin of his enterpriſe. He had always while in England blamed the conduct of former commanders, who artfully protracted the war, who haraſſed their troops in ſmall enterpriſes, and who, by agreeing to truces and temporary pacifications with the rebels, had given them leiſure to recruit their broken forces. In conformity to theſe views, he had ever inſiſted upon leading his forces immediately into Ulſter againſt Tyrone, the chief enemy; and his inſtructions had been drawn agreeably to theſe his declared reſolutions. But the Iriſh counſellors perſuaded him that the ſeaſon was too early for the enterpriſe, and that as the moraſſes in which the northern Iriſh uſually ſheltered themſelves, would not as yet be paſſable to the Engliſh forces, it would be better to employ the preſent time in an

expe-

expedition into Munſter. Their ſecret reaſon for this advice was, that many of them poſſeſſed eſtates in that province, and were deſirous to have the enemy diſlodged from their neighbourhood: But the ſame ſelfiſh ſpirit which had induced them to give this counſel, made them ſoon after diſown it when they found the bad conſequences with which it was attended.

Eſſex obliged all the rebels of Munſter either to ſubmit or to fly into the neighbouring provinces: But as the Iriſh, from the greatneſs of the queen's preparations, had concluded that ſhe intended to reduce them to total ſubjection, or even utterly to exterminate them, they conſidered their defence as a common cauſe; and the Engliſh forces were no ſooner withdrawn, than the inhabitants of Munſter relapſed into rebellion, and renewed their confederacy with their other countrymen. The army, meanwhile, by the fatigue of long and tedious marches, and by the influence of the climate, was become ſickly; and on its return to Dublin, about the middle of July, was ſurpriſingly diminiſhed in number. The courage of the ſoldiers was even much abated: For though they had prevailed in ſome leſſer enterpriſes againſt lord Cahir and others; yet had they ſometimes met with more ſtout reſiſtance than they expected from the Iriſh, whom they were wont to deſpiſe: And as they were raw troops and unexperienced, a conſiderable body of them had been put to flight at the Glins, by an inferior number of the enemy. Eſſex was ſo enraged at this miſbehaviour, that he caſhiered all the officers, and decimated the private men. But this act of ſeverity, though neceſſary, had intimidated the ſoldiers, and increaſed their averſion to the ſervice.

The queen was extremely diſguſted when ſhe heard that ſo conſiderable a part of the ſeaſon was conſumed in theſe frivolous enterpriſes; and was ſtill more ſurpriſed that Eſſex perſevered in the ſame practice which he had ſo much condemned in others, and which he knew to be ſo much contrary to her purpoſe and intention. That nobleman, in order to give his troops leiſure to recruit

from their ſickneſs and fatigue, left the main army in quarters, and marched with a ſmall body of fifteen hundred men into the county of Ophelie againſt the O'Connors and O'Mores, whom he forced to a ſubmiſſion: But, on his return to Dublin, he found the army ſo much diminiſhed, that he wrote to the Engliſh council an account of its condition, and informed them, that if he did not immediately receive a reinforcement of two thouſand men, it would be impoſſible for him this ſeaſon to attempt any thing againſt Tyrone. That there might be no pretence for farther inactivity, the queen immediately ſent over the number demanded; and Eſſex began at laſt to aſſemble his forces for the expedition into Ulſter. The army was ſo averſe to this enterpriſe, and ſo terrified with the reputation of Tyrone, that many of them counterfeited ſickneſs, many of them deſerted; and Eſſex found that, after leaving the neceſſary garriſons, he could ſcarcely lead four thouſand men againſt the rebels. He marched, however, with this ſmall army; but was ſoon ſenſible that in ſo advanced a ſeaſon it would be impoſſible for him to effect any thing againſt an enemy who, though ſuperior in number, was determined to avoid every deciſive action. He hearkened, therefore, to a meſſage ſent him by Tyrone, who deſired a conference; and a place near the two camps was appointed for that purpoſe. The generals met without any of their attendants, and a river ran between them, into which Tyrone entered to the depth of his ſaddle: But Eſſex ſtood on the oppoſite bank. After half an hour's conference, where Tyrone behaved with great ſubmiſſion to the lord lieutenant, a ceſſation of arms was concluded to the firſt of May, renewable from ſix weeks to ſix weeks; but which might be broken off by either party upon a fortnight's warning. Eſſex alſo received from Tyrone propoſals for a peace, in which that rebel had inſerted many unreaſonable and exorbitant conditions: And there appeared afterwards ſome reaſon to ſuſpect that he had here commenced a very unjuſtifiable correſpondence with the enemy.

So unexpected an iſſue of an enterpriſe, the greateſt and moſt expenſive that Elizabeth had ever undertaken, provoked her extremely againſt Eſſex; and this diſguſt was much augmented by other circumſtances of that nobleman's conduct. He wrote many letters to the queen and council, full of peeviſh and impatient expreſſions; complaining of his enemies, lamenting that their calumnies ſhould be believed againſt him, and diſcovering ſymptoms of a mind equally haughty and diſcontented. She took care to inform him of her diſſatisfaction; but commanded him to remain in Ireland till farther orders.

Eſſex heard at once of Elizabeth's anger, and of the promotion of his enemy, ſir Robert Cecil, to the office of maſter of the wards, an office to which he himſelf aſpired: And dreading that, if he remained any longer abſent, the queen would be totally alienated from him, he haſtily embraced a reſolution which, he knew, had once ſucceeded with the earl of Leiceſter, the former favourite of Elizabeth. Leiceſter, being informed while in the Low Countries that his miſtreſs was extremely diſpleaſed with his conduct, diſobeyed her orders by coming over to England; and having pacified her by his preſence, by his apologies, and by his flattery and inſinuation, diſappointed all the expectations of his enemies. Eſſex, therefore, weighing more the ſimilarity of circumſtances than the difference of character between himſelf and Leiceſter, immediately ſet out for England; and making ſpeedy journies, he arrived at court before any one was in the leaſt apprized of his intentions. Though beſmeared with dirt and ſweat, he haſtened ſtairs to the preſence-chamber, thence to the privy-chamber; nor ſtopped till he was in the queen's bed-chamber, who was newly riſen, and was ſitting with her hair about her face. He threw himſelf on his knees, kiſſed her hand, and had ſome private conference with her; where he was ſo graciouſly received, that, on his departure, he was heard to expreſs great ſatisfaction, and to thank God that though he had ſuffered much trouble and many ſtorms abroad, he found a ſweet calm at home.

But

But this placability of Elizabeth was merely the result of her ſurpriſe, and of the momentary ſatisfaction which ſhe felt on the ſudden and unexpected appearance of her favourite: After ſhe had leiſure for recollection, all his faults recurred to her; and ſhe thought it neceſſary, by ſome ſevere diſcipline, to ſubdue that haughty imperious ſpirit, who, preſuming on her partiality, had pretended to domineer in her counſels, to engroſs all her favour, and to act, in the moſt important affairs, without regard to her orders and inſtructions. When Eſſex waited on her in the afternoon, he found her extremely altered in her carriage towards him: She ordered him to be confined to his chamber; to be twice examined by the council; and though his anſwers were calm and ſubmiſſive, ſhe committed him to the cuſtody of lord-keeper Egerton, and held him ſequeſtered from all company, even from that of his counteſs, nor was ſo much as the intercourſe of letters permitted between them. Eſſex dropped many expreſſions of humiliation and ſorrow, none of reſentment: He profeſſed an entire ſubmiſſion to the queen's will: Declared his intention of retiring into the country, and of leading thenceforth a private life, remote from courts and buſineſs: But though he affected to be ſo entirely cured of his aſpiring ambition, the vexation of this diſappointment, and of the triumph gained by his enemies, preyed upon his haughty ſpirit, and he fell into a diſtemper which ſeemed to put his life in danger.

The queen had always declared to all the world, and even to the earl himſelf, that the purpoſe of her ſeverity was to correct, not to ruin him; and when ſhe heard of his ſickneſs, ſhe was not a little alarmed with his ſituation. She ordered eight phyſicians of the beſt reputation and experience to conſult of his caſe; and being informed that the iſſue was much to be apprehended, ſhe ſent Dr. James to him with ſome broth, and deſired that phyſician to deliver him a meſſage, which ſhe probably deemed of ſtill greater virtue; that if ſhe thought ſuch a ſtep conſiſtent with her honour, ſhe would herſelf pay him a viſit. The byſtanders, who carefully obſerved her countenance,

tenance, remarked that in pronouncing these words her eyes were suffused with tears.

When the symptoms of the queen's returning affection towards Essex were known, they gave a sensible alarm to the faction which had declared their opposition to him. Sir Walter Raleigh, in particular, the most violent as well as the most ambitious of his enemies, was so affected with the appearance of this sudden revolution, that he was seized with sickness in his turn; and the queen was obliged to apply the same salve to his wound, and to send him a favourable message, expressing her desire of his recovery.

(1600.) The medicine which the queen administered to these aspiring rivals was successful with both; and Essex being now allowed the company of his countess, and having entertained more promising hopes of his future fortunes, was so much restored in his health, as to be thought past danger. A belief was instilled into Elizabeth, that his distemper had been entirely counterfeit, in order to move her compassion; and she relapsed into her former rigour against him. He wrote her a letter, and sent her a rich present on New-year's day; as was usual with the courtiers at that time: She read the letter, but rejected the present. After some interval, however, of severity, she allowed him to retire to his own house: And though he remained still under custody, and was sequestered from all company, he was so grateful for this mark of lenity, that he sent her a letter of thanks on the occasion. "This farther degree of goodness," said he, "doth sound in my ears as if your majesty spake these "words, *Die not, Essex; for though I punish thine of-* "*fence, and humble thee for thy good, yet will I one day* "*be served again by thee.* My prostrate soul makes "this answer: *I hope for that blessed day.* And in ex- "pectation of it, all my afflictions of body and mind "are humbly, patiently, and cheerfully borne by me." The countess of Essex, daughter of sir Francis Walsingham, possessed, as well as her husband, a refined taste in literature; and the chief consolation which Essex enjoyed during this period of anxiety and expectation, consisted

ſiſted in her company, and in reading with her thoſe inſtructive and entertaining authors, which even during the time of his greateſt proſperity he had never entirely neglected.

There were ſeveral incidents which kept alive the queen's anger againſt Eſſex. Every account which ſhe received from Ireland, convinced her more and more of his miſconduct in that government, and of the inſignificant purpoſes to which he had employed ſo much force and treaſure. Tyrone, ſo far from being quelled, had thought proper, in leſs than three months, to break the truce; and joining with O'Donnel, and other rebels, had over-run almoſt the whole kingdom. He boaſted that he was certain of receiving a ſupply of men, money, and arms, from Spain: He pretended to be champion of the catholic religion: And he openly exulted in the preſent of a phœnix plume, which the pope, Clement VIII. in order to encourage him in the proſecution of ſo good a cauſe, had conſecrated, and had conferred upon him. The queen, that ſhe might check his progreſs, returned to her former intention of appointing Mountjoy lord-deputy; though that nobleman, who was an intimate friend of Eſſex, and deſired his return to the government of Ireland, did at firſt very earneſtly excuſe himſelf, on account of his bad ſtate of health, ſhe obliged him to accept of the employment. Mountjoy found the iſland almoſt in a deſperate condition; but being a man of capacity and vigour, he was ſo little diſcouraged, that he immediately advanced againſt Tyrone in Ulſter. He penetrated into the heart of that country, the chief ſeat of the rebels: He fortified Derry and Mount-Norris, in order to bridle the Iriſh: He chaſed them from the field, and obliged them to take ſhelter in the woods and moraſſes: He employed, with equal ſucceſs, ſir George Carew in Munſter: And by theſe promiſing enterpriſes, he gave new life to the queen's authority in that iſland.

As the compariſon of Mountjoy's adminiſtration with that of Eſſex contributed to alienate Elizabeth from her favourite, ſhe received additional diſguſt from the partiality

tiality of the people, who, prepoſſeſſed with an extravagant idea of Eſſex's merit, complained of the injuſtice done him by his removal from court, and by his confinement. Libels were ſecretly diſperſed againſt Cecil and Raleigh, and all his enemies: And his popularity, which was always great, ſeemed rather to be increaſed than diminiſhed by his misfortunes. Elizabeth, in order to juſtify to the public her conduct with regard to him, had often expreſſed her intention of having him tried in the ſtar-chamber for his offences: But her tenderneſs for him prevailed at laſt over her ſeverity; and ſhe was contented to have him only examined by the privy-council. The attorney-general, Coke, opened the cauſe againſt him, and treated him with the cruelty and inſolence which that great lawyer uſually exerciſed againſt the unfortunate. He diſplayed in the ſtrongeſt colours, all the faults committed by Eſſex in his adminiſtration of Ireland: His making Southampton general of the horſe, contrary to the queen's injunctions; his deſerting the enterpriſe againſt Tyrone, and marching to Leinſter and Munſter; his conferring knighthood on too many perſons; his ſecret conference with Tyrone; and his ſudden return from Ireland, in contempt of her majeſty's commands. He alſo exaggerated the indignity of the conditions which Tyrone had been allowed to propoſe; odious and abominable conditions, ſaid he; a public toleration of an idolatrous religion, pardon for himſelf and every traitor in Ireland, and full reſtitution of lands and poſſeſſions to all of them. The ſolicitor-general, Fleming, inſiſted upon the wretched ſituation in which the earl had left that kingdom: and Francis, ſon of ſir Nicholas Bacon, who had been lord-keeper in the beginning of the preſent reign, cloſed the charge with diſplaying the undutiful expreſſions contained in ſome letters written by the earl.

Eſſex, when he came to plead in his own defence, renounced, with great ſubmiſſion and humility, all pretenſions to an apology; and declared his reſolution never, on this or any other occaſion, to have any conteſt with his ſovereign. He ſaid, that, having ſevered himſelf

ſelf from the world, and abjured all ſentiments of ambition, he had no ſcruple to confeſs every failing or error, into which his youth, folly, or manifold infirmities might have betrayed him; that his inward ſorrow for his offences againſt her majeſty was ſo profound, that it exceeded all his outward croſſes and afflictions, nor had he any ſcruple of ſubmitting to a public confeſſion of whatever ſhe had been pleaſed to impute to him; that in his acknowledgments he retained only one reſerve, which he never would relinquiſh but with his life, the aſſertion of a loyal and unpolluted heart, of an unfeigned affection, of an earneſt deſire ever to perform to her majeſty the beſt ſervice which his poor abilities would permit; and that if this ſentiment were allowed by the council, he willingly acquieſced in any condemnation or ſentence which they could pronounce againſt him. This ſubmiſſion was uttered with ſo much eloquence, and in ſo pathetic a manner, that it drew tears from many of the audience. All the privy-counſellors, in giving their judgment, made no ſcruple of doing the earl juſtice with regard to the loyalty of his intentions. Even Cecil, whom he believed his capital enemy, treated him with regard and humanity. And the ſentence pronounced by the lord-keeper (to which the council aſſented) was in theſe words: "If this cauſe," ſaid he, "had been "heard in the ſtar-chamber, my ſentence muſt have "been for as great a fine as ever was ſet upon any man's "head in that court, together with perpetual confine-"ment in that priſon which belongeth to a man of his "quality, the Tower. But ſince we are now in another "place, and in a courſe of favour, my cenſure is, that "the earl of Eſſex is not to execute the office of a coun-"ſellor, nor that of earl marſhal of England, nor of "maſter of the ordnance; and to return to his own "houſe, there to continue a priſoner till it ſhall pleaſe "her majeſty to releaſe this and all the reſt of his ſen-"tence." The earl of Cumberland made a ſlight oppoſition to this ſentence; and ſaid, that if he thought it would ſtand he would have required a little more time to deliberate; that he deemed it ſomewhat ſevere; and that

any commander in chief might eaſily incur a like penalty. But however, added he, in confidence of her majeſty's mercy, I agree with the reſt. The earl of Worceſter delivered his opinion in a couple of Latin verſes; importing, that where the gods are offended, even misfortunes ought to be imputed as crimes, and that accident is no excuſe for tranſgreſſions againſt the Divinity.

Bacon, ſo much diſtinguiſhed afterwards by his high offices, and ſtill more by his profound genius for the ſciences, was nearly allied to the Cecil family, being nephew to lord Burleigh, and couſin-german to the ſecretary: But notwithſtanding his extraordinary talents, he had met with ſo little protection from his powerful relations, that he had not yet obtained any preferment in the law, which was his profeſſion. But Eſſex, who could diſtinguiſh merit, and who paſſionately loved it, had entered into an intimate friendſhip with Bacon; had zealouſly attempted, though without ſucceſs, to procure him the office of ſolicitor-general; and in order to comfort his friend under the diſappointment, had conferred on him a preſent of land to the value of eighteen hundred pounds. The public could ill excuſe Bacon's appearance before the council, againſt ſo munificent a benefactor; though he acted in obedience to the queen's commands: But ſhe was ſo well pleaſed with his behaviour, that ſhe impoſed on him a new taſk, of drawing a narrative of that day's proceedings, in order to ſatisfy the public of the juſtice and lenity of her conduct. Bacon, who wanted firmneſs of character more than humanity, gave to the whole tranſaction the moſt favourable turn for Eſſex; and, in particular, painted out, in elaborate expreſſion, the dutiful ſubmiſſion which that nobleman diſcovered in the defence that he made for his conduct. When he read the paper to her, ſhe ſmiled at that paſſage, and obſerved to Bacon, that old love, ſhe ſaw, could not eaſily be forgotten. He replied, that he hoped ſhe meant that of herſelf.

All the world indeed expected that Eſſex would ſoon be reinſtated in his former credit; perhaps, as is uſual in reconcilements founded on inclination, would acquire

an additional aſcendant over the queen, and after all his diſgraces would again appear more a favourite than ever. They were confirmed in this hope when they ſaw that, though he was ſtill prohibited from appearing at court, he was continued in his office of maſter of horſe, and was reſtored to his liberty, and that all his friends had acceſs to him. Eſſex himſelf ſeemed determined to perſevere in that conduct which had hitherto been ſo ſucceſsful, and which the queen, by all this diſcipline, had endeavoured to render habitual to him: He wrote to her, that he kiſſed her majeſty's hands, and the rod with which ſhe had corrected him; but that he could never recover his wonted cheerfulneſs, till ſhe deigned to admit him to that preſence, which had ever been the chief ſource of his happineſs and enjoyment: And that he had now reſolved to make amends for his paſt errors, to retire into a country ſolitude, and ſay with Nebuchadnezzar, "Let my dwelling be with the beaſts of the field; "let me eat graſs as an ox, and be wet with the dew of "heaven; till it ſhall pleaſe the queen to reſtore me to "my underſtanding." The queen was much pleaſed with theſe ſentiments, and replied, that ſhe heartily wiſhed his actions might correſpond with his expreſſions; that he had tried her patience a long time, and it was but fitting ſhe ſhould now make ſome experiment of his ſubmiſſion; that her father would never have pardoned ſo much obſtinacy; but that, if the furnace of affliction produced ſuch good effects, ſhe ſhould ever after have the better opinion of her chemiſtry.

The earl of Eſſex poſſeſſed a monopoly of ſweet wines; and as his patent was near expiring, he patiently expected that the queen would renew it, and he conſidered this event as the critical circumſtance of his life, which would determine whether he could ever hope to be reinſtated in credit and authority. But Elizabeth, though gracious in her deportment, was of a temper ſomewhat haughty and ſevere; and being continually ſurrounded with Eſſex's enemies, means were found to perſuade her, that his lofty ſpirit was not yet ſufficiently ſubdued, and that he muſt undergo this farther trial, before he could again be

ſafely received into favour. She therefore denied his requeſt; and even added, in a contemptuous ſtyle, that an ungovernable beaſt muſt be ſtinted in his provender.

This rigour, puſhed one ſtep too far, proved the final ruin of this young nobleman, and was the ſource of infinite ſorrow and vexation to the queen herſelf. Eſſex, who had with great difficulty ſo long ſubdued his proud ſpirit, and whoſe patience was now exhauſted, imagining that the queen was entirely inexorable, burſt at once all reſtraints of ſubmiſſion and of prudence, and determined to ſeek relief, by proceeding to the utmoſt extremities againſt his enemies. Even during his greateſt favour he had ever been accuſtomed to carry matters with a high hand towards his ſovereign; and as this practice gratified his own temper, and was ſometimes ſucceſsful, he had imprudently imagined that it was the only proper method of managing her. But being now reduced to deſpair, he gave entire reins to his violent diſpoſition, and threw off all appearance of duty and reſpect. Intoxicated with the public favour, which he already poſſeſſed, he practiſed anew every art of popularity; and endeavoured to increaſe the general good-will by a hoſpitable manner of life, little ſuited to his ſituation and circumſtances. His former employments had given him great connexions with men of the military profeſſion; and he now entertained, by additional careſſes and civilities, a friendſhip with all deſperate adventurers, whoſe attachment he hoped might, in his preſent views, prove ſerviceable to him. He ſecretly courted the confidence of the catholics; but his chief truſt lay in the puritans, whom he openly careſſed, and whoſe manners he ſeemed to have entirely adopted. He engaged the moſt celebrated preachers of that ſect to reſort to Eſſex-houſe; he had daily prayers and ſermons in his family; and he invited all the zealots in London to attend thoſe pious exerciſes. Such was the diſpoſition now beginning to prevail among the Engliſh, that, inſtead of feaſting and public ſpectacles, the methods anciently practiſed to gain the populace, nothing ſo effectually ingratiated an ambitious leader with the

public, as theſe fanatical entertainments. And as the puritanical preachers frequently inculcated in their ſermons the doctrine of reſiſtance to the civil magiſtrate, they prepared the minds of their hearers for thoſe ſeditious projects which Eſſex was ſecretly meditating.

But the greateſt imprudence of this nobleman proceeded from the openneſs of his temper, by which he was ill qualified to ſucceed in ſuch difficult and dangerous enterpriſes. He indulged himſelf in great liberties of ſpeech, and was even heard to ſay of the queen, that ſhe was now grown an old woman, and was become as crooked in her mind as in her body. Some court ladies, whoſe favours Eſſex had formerly neglected, carried her theſe ſtories, and incenſed her to a high degree againſt him. Elizabeth was ever remarkably jealous on this head; and though ſhe was now approaching to her ſeventieth year, ſhe allowed her courtiers and even foreign ambaſſadors to compliment her upon her beauty; nor had all her good ſenſe been able to cure her of this prepoſterous vanity *.

There was alſo an expedient employed by Eſſex, which, if poſſible, was more provoking to the queen than thoſe ſarcaſms on her age and deformity; and that was, his ſecret applications to the king of Scots, her heir and ſucceſſor. That prince had this year very narrowly eſcaped a dangerous, though ill-formed, conſpiracy of the earl of Gowry; and even his deliverance was attended with this diſagreeable circumſtance, that the obſtinate eccleſiaſtics perſiſted, in ſpite of the moſt inconteſtable evidence, to maintain to his face, that there had been no ſuch conſpiracy. James, haraſſed with his turbulent and factious ſubjects, caſt a wiſhful eye to the ſucceſſion of England; and, in proportion as the queen advanced in years, his deſire increaſed of mounting that throne, on which, beſides acquiring a great addition of power and ſplendour, he hoped to govern a people ſo much more tractable and ſubmiſſive. He negotiated with all the courts of Europe, in order to enſure himſelf friends and

* See note [A] at the end of the volume.

parti-

partiſans. He even neglected not the court of Rome and that of Spain; and though he engaged himſelf in no poſitive promiſe, he flattered the catholics with hopes that, in the event of his ſucceſſion, they might expect ſome more liberty than was at preſent indulged them. Elizabeth was the only ſovereign in Europe to whom he never dared to mention his right of ſucceſſion: He knew that, though her advanced age might now invite her to think of fixing an heir to the crown, ſhe never could bear the proſpect of her own death without horror, and was determined ſtill to retain him, and all other competitors, in an entire dependance upon her.

Eſſex was deſcended by females from the royal family; and ſome of his ſanguine partiſans had been ſo imprudent as to mention his name among thoſe of other pretenders to the crown; but the earl took care, by means of Henry Lee, whom he ſecretly ſent into Scotland, to aſſure James, that, ſo far from entertaining ſuch ambitious views, he was determined to uſe every expedient for extorting an immediate declaration in favour of that monarch's right of ſucceſſion. James willingly hearkened to this propoſal; but did not approve of the violent methods which Eſſex intended to employ. Eſſex had communicated his ſcheme to Mountjoy, deputy of Ireland; and as no man ever commanded more the cordial affection and attachment of his friends, he had even engaged a perſon of that virtue and prudence to entertain thoughts of bringing over part of his army into England, and of forcing the queen to declare the king of Scots her ſucceſſor. And ſuch was Eſſex's impatient ardour, that, though James declined this dangerous expedient, he ſtill endeavoured to perſuade Mountjoy not to deſiſt from the project: But the deputy, who thought that ſuch violence, though it might be prudent, and even juſtifiable when ſupported by a ſovereign prince, next heir to the crown, would be raſh and criminal, if attempted by ſubjects, abſolutely refuſed his concurrence. The correſpondence, however, between Eſſex and the court of Scotland was ſtill conducted with great ſecrecy and cordiality;

diality; and that nobleman, beſides conciliating the favour of James, repreſented all his own adverſaries as enemies to that prince's ſucceſſion, and as men entirely devoted to the intereſts of Spain, and partiſans of the chimerical title of the Infanta.

The Infanta and the archduke Albert had made ſome advances to the queen for peace; and Boulogne, as a neutral town, was choſen for the place of conference. Sir Henry Nevil, the Engliſh reſident in France, Herbert, Edmondes, and Beale, were ſent thither as ambaſſadors from England; and negotiated with Zuniga, Carillo, Richardot, and Verheiken, miniſters of Spain, and the archduke *: But the conferences were ſoon broken off by diſputes with regard to the ceremonial. Among the European ſtates England had ever been allowed precedency above Caſtile, Arragon, Portugal, and the other kingdoms of which the Spaniſh monarchy was compoſed; and Elizabeth inſiſted, that this ancient right was not loſt on account of the junction of theſe ſtates, and that that monarchy in its preſent ſituation, though it ſurpaſſed the Engliſh in extent as well as in power, could not be compared with it in point of antiquity, the only durable and regular foundation of precedency among kingdoms as well as noble families. That ſhe might ſhow, however, a pacific diſpoſition, ſhe was content to yield to an equality; but the Spaniſh miniſters, as their nation had always diſputed precedency even with France, to which England yielded, would proceed no farther in the conference, till their ſuperiority of rank were acknowledged. During the preparations for this abortive negotiation the earl of Nottingham, the admiral, lord Buckhurſt, treaſurer, and ſecretary Cecil, had diſcovered their inclination to peace; but as the Engliſh nation, fluſhed with ſucceſs, and ſanguine in their hopes of plunder and conqueſt, were in general averſe to that meaſure, it was eaſy for a perſon ſo popular as Eſſex to infuſe into the multitude an opinion, that theſe miniſters

* 26th May.

had

had ſacrificed the intereſts of their country to Spain, and would even make no ſcruple of receiving a ſovereign from that hoſtile nation.

(1601.) But Eſſex, not content with theſe arts for decrying his adverſaries, proceeded to concert more violent methods of ruining them; chiefly inſtigated by Cuffe, his ſecretary, a man of a bold and arrogant ſpirit, who had acquired a great aſcendant over his patron. A ſelect council of malcontents was formed, who commonly met at Drury-houſe, and were compoſed of ſir Charles Davers, to whom the houſe belonged, the earl of Southampton, ſir Ferdinando Gorges, ſir Chriſtopher Blount, ſir John Davies, and John Littleton; and Eſſex, who boaſted that he had a hundred and twenty barons, knights, and gentlemen of note at his devotion, and who truſted ſtill more to his authority with the populace, communicated to his aſſociates thoſe ſecret deſigns with which his confidence in ſo powerful a party had inſpired him. Among other criminal projects, the reſult of blind rage and deſpair, he deliberated with them concerning the method of taking arms; and aſked their opinion whether he had beſt begin with ſeizing the palace or the Tower, or ſet out with making himſelf maſter at once of both places. The firſt enterpriſe being preferred, a method was concerted for executing it. It was agreed that ſir Chriſtopher Blount, with a choice detachment, ſhould poſſeſs himſelf of the palace gates; that Davies ſhould ſeize the hall, Davers the guard-chamber and preſence-chamber; and that Eſſex ſhould ruſh in from the Meuſe, attended by a body of his partiſans; ſhould entreat the queen, with all demonſtrations of humility, to remove his enemies; ſhould oblige her to aſſemble a parliament; and ſhould with common conſent ſettle a new plan of government.

(7th Feb.) While theſe deſperate projects were in agitation, many reaſons of ſuſpicion were carried to the queen; and ſhe ſent Robert Sacville, ſon of the treaſurer, to Eſſex-houſe, on pretence of a viſit, but in reality with a view of diſcovering whether there were in that place any unuſual concourſe of people, or any extra-

traordinary preparations which might threaten an inſurrection. Soon after Eſſex received a ſummons to attend the council, which met at the treaſurer's houſe; and while he was muſing on this circumſtance, and comparing it with the late unexpected viſit from Sacville, a private note was conveyed to him, by which he was warned to provide for his own ſafety. He concluded that all his conſpiracy was diſcovered, at leaſt ſuſpected; and that the eaſieſt puniſhment which he had reaſon to apprehend, was a new and more ſevere confinement: He therefore excuſed himſelf to the council on pretence of an indiſpoſition; and he immediately deſpatched meſſages to his more intimate confederates, requeſting their advice and aſſiſtance in the preſent critical ſituation of his affairs. They deliberated, whether they ſhould abandon all their projects, and fly the kingdom; or inſtantly ſeize the palace with the force which they could aſſemble; or rely upon the affections of the citizens, who were generally known to have a great attachment to the earl. Eſſex declared againſt the firſt expedient, and profeſſed himſelf determined to undergo any fate rather than ſubmit to live the life of a fugitive. To ſeize the palace ſeemed impracticable, without more preparations; eſpecially as the queen ſeemed now aware of their projects, and, as they heard, had uſed the precaution of doubling her ordinary guards. There remained, therefore, no expedient but that of betaking themſelves to the city; and, while the prudence and feaſibility of this reſolution was under debate, a perſon arrived, who, as if he had received a commiſſion for the purpoſe, gave them aſſurance of the affections of the Londoners, and affirmed that they might ſecurely reſt any project on that foundation. The popularity of Eſſex had chiefly buoyed him up in all his vain undertakings; and he fondly imagined, that with no other aſſiſtance than the goodwill of the multitude, he might overturn Elizabeth's government, confirmed by time, revered for wiſdom, ſupported by vigour, and concurring with the general ſentiments of the nation. The wild project of raiſing the city was immediately reſolved on; the execution of it

was

was delayed till next day; and emiſſaries were deſpatched to all Eſſex's friends, informing them that Cobham and Raleigh had laid ſchemes againſt his life, and entreating their preſence and aſſiſtance.

(8th Feb.) Next day there appeared at Eſſex-houſe the earls of Southampton and Rutland, the lords Sandys and Monteagle, with about three hundred gentlemen of good quality and fortune; and Eſſex informed them of the danger to which he pretended the machinations of his enemies expoſed him. To ſome he ſaid, that he would throw himſelf at the queen's feet, and crave her juſtice and protection: To others, he boaſted of his intereſt in the city, and affirmed, that, whatever might happen, this reſource could never fail him. The queen was informed of theſe deſigns, by means of intelligence conveyed, as is ſuppoſed, to Raleigh, by ſir Ferdinando Gorges; and, having ordered the magiſtrates of London to keep the citizens in readineſs, ſhe ſent Egerton, lord-keeper, to Eſſex-houſe, with the earl of Worceſter, ſir William Knollys, controller, and Popham, chief juſtice, in order to learn the cauſe of theſe unuſual commotions. They were with difficulty admitted, through a wicket; but all their ſervants were excluded except the purſe-bearer. After ſome altercation, in which they charged Eſſex's retainers, upon their allegiance, to lay down their arms, and were menaced in their turn by the angry multitude who ſurrounded them, the earl, who found that matters were paſt recal, reſolved to leave them priſoners in his houſe, and to proceed to the execution of his former project. He ſallied forth with about two hundred attendants, armed only with walking ſwords; and in his paſſage to the city was joined by the earl of Bedford and lord Cromwel. He cried aloud, *For the queen! for the queen! a plot is laid for my life*; and then proceeded to the houſe of Smith the ſheriff, on whoſe aid he had great reliance. The citizens flocked about him in amazement; but though he told them that England was ſold to the Infanta, and exhorted them to arm inſtantly, otherwiſe they could not do him any ſervice, no one ſhowed a diſpoſition to join him. The ſheriff, on the

the earl's approach to his houſe, ſtole out at the back door, and made the beſt of his way to the mayor. Eſſex, meanwhile, obſerving the coldneſs of the citizens, and hearing that he was proclaimed a traitor by the earl of Cumberland and lord Burleigh, began to deſpair of ſucceſs, and thought of retreating to his own houſe. He found the ſtreets in his paſſage barricadoed and guarded by the citizens under the command of ſir John Leviſon. In his attempt to force his way, Tracy, a young gentleman to whom he bore great friendſhip, was killed with two or three of the Londoners; and the earl himſelf, attended by a few of his partiſans (for the greater part began ſecretly to withdraw themſelves), retired towards the river, and taking boat, arrived at Eſſex-houſe. He there found that Gorges, whom he had ſent before to capitulate with the lord keeper and the other counſellors, had given all of them their liberty, and had gone to court with them. He was now reduced to deſpair; and appeared determined, in proſecution of lord Sandys's advice, to defend himſelf to the laſt extremity, and rather to periſh, like a brave man, with his ſword in his hand, than baſely by the hands of the executioner: But after ſome parley, and after demanding in vain, firſt hoſtages, then conditions, from the beſiegers, he ſurrendered at diſcretion; requeſting only civil treatment, and a fair and impartial hearing.

The queen, who during all this commotion had behaved with as great tranquillity and ſecurity as if there had only paſſed a fray in the ſtreets, in which ſhe was nowiſe concerned, ſoon gave orders for the trial of the moſt conſiderable of the criminals. (19th Feb.) The earls of Eſſex and Southampton were arraigned before a jury of twenty-five peers, where Buckhurſt acted as lord ſteward. The guilt of the priſoners was too apparent to admit of any doubt; and, beſides the inſurrection known to every body, the treaſonable conferences at Drury-houſe were proved by undoubted evidence. Sir Ferdinando Gorges was produced in court: The confeſſions of the earl of Rutland, of the lords Cromwel, Sandys, and Monteagle, of Davers, Blount, and Davies, were only

only read to the peers, according to the practice of that age. Eſſex's beſt friends were ſcandaliſed at his aſſurance in inſiſting ſo poſitively on his innocence, and the goodneſs of his intentions; and ſtill more at his vindictive diſpoſition, in accuſing, without any appearance of reaſon, ſecretary Cecil as a partiſan of the Infanta's title. The ſecretary, who had expected this charge, ſtepped into the court and challenged Eſſex to produce his authority, which, on examination, was found extremely weak and frivolous. When ſentence was pronounced, Eſſex ſpoke like a man who expected nothing but death: But he added, that he ſhould be ſorry if he were repreſented to the queen as a perſon that deſpiſed her clemency; though he ſhould not, he believed, make any cringing ſubmiſſions to obtain it. Southampton's behaviour was more mild and ſubmiſſive: He entreated the good offices of the peers in ſo modeſt and becoming a manner as excited compaſſion in every one.

The moſt remarkable circumſtance in Eſſex's trial was Bacon's appearance againſt him. He was none of the crown lawyers; ſo was not obliged by his office to aſſiſt at this trial: Yet did he not ſcruple, in order to obtain the queen's favour, to be active in bereaving of life his friend and patron, whoſe generoſity he had often experienced. He compared Eſſex's conduct, in pretending to fear the attempts of his adverſaries, to that of Piſiſtratus the Athenian, who cut and wounded his own body; and making the people believe that his enemies had committed the violence, obtained a guard for his perſon, by whoſe aſſiſtance he afterwards ſubdued the liberties of his country.

After Eſſex had paſſed ſome days in the ſolitude and reflections of a priſon, his proud heart was at laſt ſubdued, not by the fear of death, but by the ſentiments of religion; a principle which he had before attempted to make the inſtrument of his ambition, but which now took a more firm hold of his mind, and prevailed over every other motive and conſideration. His ſpiritual directors perſuaded him, that he never could obtain the pardon of heaven unleſs he made a full confeſſion of his diſloyal-

diſloyalty; and he gave in to the council an account of all his criminal deſigns, as well as his correſpondence with the king of Scots. He ſpared not even his moſt intimate friends, ſuch as lord Mountjoy, whom he had engaged in theſe conſpiracies; and he ſought to pacify his preſent remorſe by making ſuch atonements as, in any other period of his life, he would have deemed more blameable than thoſe attempts themſelves which were the objects of his penitence. Sir Harry Nevil, in particular, a man of merit, he accuſed of a correſpondence with the conſpirators; though it appears that this gentleman had never aſſented to the propoſals made him, and was no farther criminal than in not revealing the earl's treaſon; an office to which every man of honour naturally bears the ſtrongeſt reluctance. Nevil was thrown into priſon, and underwent a ſevere perſecution: But, as the queen found Mountjoy an able and ſucceſsful commander, ſhe continued him in his government, and ſacrificed her reſentment to the public ſervice.

Elizabeth affected extremely the praiſe of clemency; and in every great example which ſhe had made during her reign, ſhe had always appeared full of reluctance and heſitation: But the preſent ſituation of Eſſex called forth all her tender affections, and kept her in the moſt real agitation and irreſolution. She felt a perpetual combat between reſentment and inclination, pride and compaſſion, the care of her own ſafety and concern for her favourite; and her ſituation, during this interval, was perhaps more an object of pity than that to which Eſſex himſelf was reduced. She ſigned the warrant for his execution; ſhe countermanded it; ſhe again reſolved on his death; ſhe felt a new return of tenderneſs. Eſſex's enemies told her, that he himſelf deſired to die, and had aſſured her, that ſhe could never be in ſafety while he lived: It is likely that this proof of penitence and of concern for her would produce a contrary effect to what they intended, and would revive all the fond affection which ſhe had ſo long indulged towards the unhappy priſoner. But what chiefly hardened her heart againſt him was his ſuppoſed obſtinacy in never making, as ſhe hourly

ly

ly expected, any application to her for mercy; and she finally gave her consent to his execution. He discovered at his death symptoms rather of penitence and piety than of fear; and willingly acknowledged the justice of the sentence by which he suffered. (25th Feb.) The execution was private in the Tower, agreeably to his own request. He was apprehensive, he said, lest the favour and compassion of the people would too much raise his heart in those moments, when humiliation under the afflicting hand of heaven was the only proper sentiment which he could indulge. And the queen, no doubt, thought that prudence required the removing of so melancholy a spectacle from the public eye. Sir Walter Raleigh, who came to the Tower on purpose, and who beheld Essex's execution from a window, increased much by this action the general hatred under which he already laboured: It was thought that his sole intention was to feast his eyes with the death of an enemy; and no apology which he could make for so ungenerous a conduct, could be accepted by the public. The cruelty and animosity with which he urged on Essex's fate, even when Cecil relented, were still regarded as the principles of this unmanly behaviour.

The earl of Essex was but thirty-four years of age, when his rashness, imprudence, and violence, brought him to this untimely end. We must here, as in many other instances, lament the inconstancy of human nature, that a person endowed with so many noble virtues, generosity, sincerity, friendship, valour, eloquence, and industry, should, in the latter period of his life, have given reins to his ungovernable passions, and involved not only himself but many of his friends in utter ruin. The queen's tenderness and passion for him, as it was the cause of those premature honours which he attained, seems, on the whole, the chief circumstance which brought on his unhappy fate. Confident of her partiality towards him, as well as of his own merit, he treated her with a haughtiness which neither her love nor her dignity could bear; and as her amorous inclinations, in so advanced an age, would naturally make her appear ridicu-

lous, if not odious, in his eyes, he was engaged by an imprudent openneſs, of which he made profeſſion, to diſcover too eaſily thoſe ſentiments to her. The many reconciliations and returns of affection, of which he had ſtill made advantage, induced him to venture on new provocations, till he puſhed her beyond all bounds of patience; and he forgot, that, though the ſentiments of the woman were ever ſtrong in her, thoſe of the ſovereign had ſtill, in the end, appeared predominant.

Some of Eſſex's aſſociates, Cuffe, Davers, Blount, Meric, and Davies, were tried and condemned, and all of theſe, except Davies, were executed. The queen pardoned the reſt; being perſuaded that they were drawn in merely from their friendſhip to that nobleman, and their care of his ſafety; and were ignorant of the more criminal part of his intentions. Southampton's life was ſaved with great difficulty; but he was detained in priſon during the remainder of this reign.

The king of Scots, apprehenſive leſt his correſpondence with Eſſex might have been diſcovered, and have given offence to Elizabeth, ſent the earl of Marre and lord Kinloſs as ambaſſadors to England, in order to congratulate the queen on her eſcape from the late inſurrection and conſpiracy. They were alſo ordered to make ſecret inquiry whether any meaſures had been taken by her for excluding him from the ſucceſſion, as well as to diſcover the inclinations of the chief nobility and counſellors, in caſe of the queen's demiſe. They found the diſpoſitions of men as favourable as they could wiſh; and they even entered into a correſpondence with ſecretary Cecil, whoſe influence, after the fall of Eſſex, was now uncontrolled, and who was reſolved, by this policy, to acquire in time the confidence of the ſucceſſor. He knew how jealous Elizabeth ever was of her authority, and he therefore carefully concealed from her his attachment to James: But he afterwards aſſerted, that nothing could be more advantageous to her than this correſpondence; becauſe the king of Scots, ſecure of mounting the throne by his undoubted title, aided by thoſe connexions with the Engliſh miniſtry, was the leſs likely to give

give any diſturbance to the preſent ſovereign. He alſo perſuaded that prince to remain in quiet, and patiently to expect that time ſhould open to him the inheritance of the crown, without puſhing his friends on deſperate enterpriſes, which would totally incapacitate them from ſerving him: James's equity, as well as his natural facility of diſpoſition, eaſily inclined him to embrace that reſolution; and in this manner the minds of the Engliſh were ſilently but univerſally diſpoſed to admit, without oppoſition, the ſucceſſion of the Scottiſh line: The death of Eſſex, by putting an end to faction, had been rather favourable than prejudicial to that great event.

The French king, who was little prepoſſeſſed in favour of James, and who, for obvious reaſons, was averſe to the union of England and Scotland, made his ambaſſador drop ſome hints to Cecil of Henry's willingneſs to concur in any meaſure for diſappointing the hopes of the Scottiſh monarch; but as Cecil ſhowed an entire diſapprobation of ſuch ſchemes, the court of France took no farther ſteps in that matter; and thus, the only foreign power which could give much diſturbance to James's ſucceſſion, was induced to acquieſce in it. Henry made a journey this ſummer to Calais; and the queen hearing of his intentions went to Dover, in hopes of having a perſonal interview with a monarch, whom, of all others, ſhe moſt loved and moſt reſpected. The king of France, who felt the ſame ſentiments towards her, would gladly have accepted of the propoſal; but as many difficulties occurred, it appeared neceſſary to lay aſide, by common conſent, the project of an interview. Elizabeth, however, wrote ſucceſſively two letters to Henry, one by Edmondes, another by ſir Robert Sydney; in which ſhe expreſſed a deſire of conferring about a buſineſs of importance, with ſome miniſter in whom that prince repoſed entire confidence. The marquis of Roſni, the king's favourite and prime miniſter, came to Dover in diſguiſe; and the Memoirs of that able ſtateſman contain a full account of his conference with Elizabeth. This princeſs had formed a ſcheme for eſta-

bliſhing, in conjunction with Henry, a new ſyſtem in Europe, and of fixing a durable balance of power, by the erection of new ſtates on the ruins of the houſe of Auſtria. She had even the prudence to foreſee the perils which might enſue from the aggrandiſement of her ally; and ſhe purpoſed to unite all the ſeventeen provinces of the Low Countries in one republic, in order to form a perpetual barrier againſt the dangerous increaſe of the French as well as of the Spaniſh monarchy. Henry had himſelf long meditated ſuch a project againſt the Auſtrian family; and Roſni could not forbear expreſſing his aſtoniſhment, when he found that Elizabeth and his maſter, though they had never communicated their ſentiments on this ſubject, not only had entered into the ſame general views, but had alſo formed the ſame plan for their execution. The affairs, however, of France were not yet brought to a ſituation which might enable Henry to begin that great enterpriſe; and Roſni ſatisfied the queen, that it would be neceſſary to poſtpone for ſome years their united attack on the houſe of Auſtria. He departed, filled with juſt admiration at the ſolidity of Elizabeth's judgment, and the greatneſs of her mind; and he owns that ſhe was entirely worthy of that high reputation which ſhe enjoyed in Europe.

The queen's magnanimity in forming ſuch extenſive projects was the more remarkable, as, beſides her having fallen ſo far into the decline of life, the affairs of Ireland, though conducted with abilities and ſucceſs, were ſtill in diſorder, and made a great diverſion of her forces. The expenſe incurred by this war, lay heavy upon her narrow revenues; and her miniſters, taking advantage of her diſpoſition to frugality, propoſed to her an expedient of ſaving, which, though ſhe at firſt diſapproved of it, ſhe was at laſt induced to embrace. It was repreſented to her, that the great ſums of money remitted to Ireland for the pay of the Engliſh forces, came, by the neceſſary courſe of circulation, into the hands of the rebels, and enabled them to buy abroad all neceſſary ſupplies of arms and ammunition, which, from the extreme poverty of that kingdom, and its want of every uſeful commodity, they

they could not otherwiſe find means to purchaſe. It was therefore recommended to her, that ſhe ſhould pay her forces in baſe money; and it was aſſerted, that, beſides the great ſaving to the revenue, this ſpecies of coin could never be exported with advantage, and would not paſs in any foreign market. Some of her wiſer counſellors maintained, that if the pay of the ſoldiers were raiſed in proportion, the Iriſh rebels would neceſſarily reap the ſame benefit from the baſe money, which would always be taken at a rate ſuitable to its value; if the pay were not raiſed, there would be danger of a mutiny among the troops, who, whatever names might be affixed to the pieces of metal, would ſoon find from experience, that they were defrauded in their income. But Elizabeth, though ſhe juſtly valued herſelf on fixing the ſtandard of the Engliſh coin, much debaſed by her predeceſſors, and had innovated very little in that delicate article, was ſeduced by the ſpecious arguments employed by the treaſurer on this occaſion; and ſhe coined a great quantity of baſe money, which he made uſe of in the pay of her forces in Ireland.

Mountjoy, the deputy, was a man of abilities; and foreſeeing the danger of mutiny among the troops, he led them inſtantly into the field, and reſolved, by means of ſtrict diſcipline, and by keeping them employed againſt the enemy, to obviate thoſe inconveniencies which were juſtly to be apprehended. He made military roads, and built a fortreſs at Moghery; he drove the Mac-Geniſes out of Lecade; he haraſſed Tyrone in Ulſter with inroads and leſſer expeditions; and by deſtroying everywhere, and during all ſeaſons, the proviſions of the Iriſh, he reduced them to periſh by famine in the woods and moraſſes, to which they were obliged to retreat. At the ſame time, ſir Henry Docwray, who commanded another body of troops, took the caſtle of Derry, and put garriſons into Newton and Ainogh; and having ſeized the monaſtery of Donnegal near Baliſhannon, he threw troops into it, and defended it againſt the aſſaults of O'Donnel and the Iriſh. Nor was ſir George Carew idle in the province of Munſter. He ſeized the titular

earl of Desmond, and sent him over, with Florence Mac-arty, another chieftain, prisoner to England. He arrested many suspected persons, and took hostages from others. And having got a reinforcement of two thousand men from England, he threw himself into Corke, which he supplied with arms and provisions; and he put every thing in a condition for resisting the Spanish invasion, which was daily expected. The deputy, informed of the danger to which the southern provinces were exposed, left the prosecution of the war against Tyrone, who was reduced to great extremities; and he marched with his army into Munster.

(23d Sept.) At last the Spaniards, under don John d'Aquila, arrived at Kinsale; and sir Richard Piercy, who commanded in the town with a small garrison of a hundred and fifty men, found himself obliged to abandon it on their appearance. These invaders amounted to four thousand men, and the Irish discovered a strong propensity to join them, in order to free themselves from the English government, with which they were extremely discontented. One chief ground of their complaint was the introduction of trials by jury; an institution abhorred by that people, though nothing contributes more to the support of that equity and liberty, for which the English laws are so justly celebrated. The Irish also bore a great favour to the Spaniards, having entertained the opinion that they themselves were descended from that nation; and their attachment to the catholic religion proved a new cause of affection to the invaders. D'Aquila assumed the title of general *in the holy war for the preservation of the faith* in Ireland; and he endeavoured to persuade the people that Elizabeth was, by several bulls of the pope, deprived of her crown; that her subjects were absolved from their oaths of allegiance; and that the Spaniards were come to deliver the Irish from the dominion of the devil. Mountjoy found it necessary to act with vigour, in order to prevent a total insurrection of the Irish; and having collected his forces, he formed the siege of Kinsale by land; while sir Richard Levison, with a small squadron, blockaded

blockaded it by ſea. He had no ſooner begun his operations, than he heard of the arrival of another body of two thouſand Spaniards under the command of Alphonſo Ocampo, who had taken poſſeſſion of Baltimore and Berehaven; and he was obliged to detach ſir George Carew to oppoſe their progreſs. Tyrone, meanwhile, with Randal, Mac-Surley, Tirel baron of Kelly, and other chieftains of the Iriſh, had joined Ocampo with all their forces, and were marching to the relief of Kinſale. The deputy, informed of their deſign by intercepted letters, made preparations to receive them; and being reinforced by Leviſon with ſix hundred marines, he poſted his troops on an advantageous ground, which lay on the paſſage of the enemy, leaving ſome cavalry to prevent a ſally from d'Aquila and the Spaniſh garriſon. When Tyrone, with a detachment of Iriſh and Spaniards, approached, he was ſurpriſed to find the Engliſh ſo well poſted, and ranged in good order; and he immediately ſounded a retreat: But the deputy gave orders to purſue him; and having thrown theſe advanced troops into diſorder, he followed them to the main body, whom he alſo attacked, and put to flight, with the ſlaughter of twelve hundred men. Ocampo was taken priſoner: Tyrone fled into Ulſter; O'Donnel made his eſcape into Spain; and d'Aquila, finding himſelf reduced to the greateſt difficulties, was obliged to capitulate upon ſuch terms as the deputy preſcribed to him: He ſurrendered Kinſale and Baltimore, and agreed to evacuate the kingdom. This great blow, joined to other ſucceſſes, gained by Wilmot governor of Kerry, and by Roger and Gavin Harvey, threw the rebels into diſmay, and gave a proſpect of the final reduction of Ireland.

The Iriſh war, though ſucceſsful, was extremely burdenſome on the queen's revenue; and beſides the ſupplies granted by parliament, which were indeed very ſmall, but which they ever regarded as mighty conceſſions, ſhe had been obliged, notwithſtanding her great frugality, to employ other expedients, ſuch as ſelling the royal demeſnes and crown jewels, and exacting loans from the people; in order to ſupport this cauſe, ſo

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eſſential to the honour and intereſts of England. The neceſſity of her affairs obliged her again to ſummon a parliament (27th October); and it here appeared, that, though old age was advancing faſt upon her, though ſhe had loſt much of her popularity by the unfortunate execution of Eſſex, inſomuch that, when ſhe appeared in public, ſhe was not attended with the uſual acclamations, yet the powers of her prerogative, ſupported by vigour, ſtill remained as high and uncontrollable as ever.

The active reign of Elizabeth had enabled many perſons to diſtinguiſh themſelves in civil and military employments; and the queen, who was not able, from her revenue, to give them any rewards proportioned to their ſervices, had made uſe of an expedient which had been employed by her predeceſſors, but which had never been carried to ſuch an extreme as under her adminiſtration. She granted her ſervants and courtiers patents for monopolies; and theſe patents they ſold to others, who were thereby enabled to raiſe commodities to what price they pleaſed, and who put invincible reſtraints upon all commerce, induſtry, and emulation in the arts. It is aſtoniſhing to conſider the number and importance of thoſe commodities which were thus aſſigned over to patentees. Currants, ſalt, iron, powder, cards, calf-ſkins, fells, pouldavies, ox-ſhin-bones, train-oil, liſts of cloth, pot-aſhes, anniſeeds, vinegar, ſea-coals, ſteel, aquavitæ, bruſhes, pots, bottles, ſaltpetre, lead, accidence, oil, calamine-ſtone, oil of blubber, glaſſes, paper, ſtarch, tin, ſulphur, new drapery, dried pilchards, tranſportation of iron ordnance, of beer, of horn, of leather, importation of Spaniſh wool, of Iriſh yarn: Theſe are but a part of the commodities which had been appropriated to monopoliſts. When this liſt was read in the houſe, a member cried, *Is not bread in the number? Bread!* ſaid every one with aſtoniſhment: *Yes, I aſſure you*, replies he, *if affairs go on at this rate, we ſhall have bread reduced to a monopoly before next parliament.* Theſe monopoliſts were ſo exorbitant in their demands, that in ſome places they raiſed the price of ſalt from ſixteen-pence a buſhel, to fourteen or fifteen ſhillings. Such high profits naturally

rally begat intruders upon their commerce; and in order to ſecure themſelves againſt encroachments, the patentees were armed with high and arbitrary powers from the council, by which they were enabled to oppreſs the people at pleaſure, and to exact money from ſuch as they thought proper to accuſe of interfering with their patent. The patentees of ſaltpetre having the power of entering into every houſe, and of committing what havoc they pleaſed in ſtables, cellars, or wherever they ſuſpected ſaltpetre might be gathered; commonly extorted money from thoſe who deſired to free themſelves from this damage or trouble. And while all domeſtic intercourſe was thus reſtrained, leſt any ſcope ſhould remain for induſtry, almoſt every ſpecies of foreign commerce was confined to excluſive companies, who bought and ſold at any price that they themſelves thought proper to offer or exact.

Theſe grievances, the moſt intolerable for the preſent, and the moſt pernicious in their conſequences that ever were known in any age, or under any government, had been mentioned in the laſt parliament, and a petition had even been preſented to the queen complaining of the patents; but ſhe ſtill perſiſted in defending her monopoliſts againſt her people. A bill was now introduced into the lower houſe, aboliſhing all theſe monopolies; and as the former application had been unſucceſsful, a law was inſiſted on as the only certain expedient for correcting theſe abuſes. The courtiers, on the other hand, maintained that this matter regarded the prerogative, and that the commons could never hope for ſucceſs if they did not make application, in the moſt humble and reſpectful manner, to the queen's goodneſs and beneficence. The topics which were advanced in the houſe, and which came equally from the courtiers and the country gentlemen, and were admitted by both, will appear the moſt extraordinary to ſuch as are prepoſſeſſed with an idea of the privileges enjoyed by the people during that age, and of the liberty poſſeſſed under the adminiſtration of Elizabeth. It was aſſerted that the queen inherited both an enlarging and a reſtraining power; by her prerogative

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ſhe might ſet at liberty what was reſtrained by ſtatute or otherwiſe, and by her prerogative ſhe might reſtrain what was otherwiſe at liberty: That the royal prerogative was not to be canvaſſed nor diſputed nor examined; and did not even admit of any limitation: That abſolute princes, ſuch as the ſovereigns of England, were a ſpecies of divinity: That it was in vain to attempt tying the queen's hands by laws or ſtatutes; ſince, by means of her diſpenſing power, ſhe could looſen herſelf at pleaſure: And that even if a clauſe ſhould be annexed to a ſtatute, excluding her diſpenſing power, ſhe could firſt diſpenſe with that clauſe, and then with the ſtatute. After all this diſcourſe, more worthy of a Turkiſh divan than of an Engliſh houſe of commons, according to our preſent idea of this aſſembly, the queen, who perceived how odious monopolies had become, and what heats were likely to ariſe, ſent for the ſpeaker, and deſired him to acquaint the houſe, that ſhe would immediately cancel the moſt grievous and oppreſſive of theſe patents *.

The houſe was ſtruck with aſtoniſhment, and admiration, and gratitude, at this extraordinary inſtance of the queen's goodneſs and condeſcenſion. A member ſaid, with tears in his eyes, that if a ſentence of everlaſting happineſs had been pronounced in his favour, he could not have felt more joy than that with which he was at preſent overwhelmed. Another obſerved, that this meſſage from the ſacred perſon of the queen was a kind of goſpel or glad tidings, and ought to be received as ſuch, and be written in the tablets of their hearts. And it was farther remarked, that in the ſame manner as the Deity would not give his glory to another, ſo the queen herſelf was the only agent in their preſent proſperity and happineſs. The houſe voted, That the ſpeaker, with a committee, ſhould aſk permiſſion to wait on her majeſty, and return thanks to her for her gracious conceſſions to her people.

* See note [B] at the end of the volume.

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When the ſpeaker, with the other members, was introduced to the queen, they all flung themſelves on their knees; and remained in that poſture a conſiderable time, till ſhe thought proper to expreſs her deſire that they ſhould riſe *. The ſpeaker diſplayed the gratitude of the commons; becauſe her ſacred ears were ever open to hear them, and her bleſſed hands ever ſtretched out to relieve them. They acknowledged, he ſaid, in all duty and thankfulneſs acknowledged, that before they called, her *preventing grace* and *all-deſerving goodneſs* watched over them for their good; more ready to give than they could deſire, much leſs deſerve. He remarked, that the attribute which was moſt proper to God, to perform all he promiſeth, appertained alſo to her; and that ſhe was all truth, all conſtancy, and all goodneſs. And he concluded with theſe expreſſions, "Neither do "we preſent our thanks in words or any outward ſign, "which can be no ſufficient retribution for ſo great "goodneſs; but in all duty and thankfulneſs, proſtrate "at your feet, we preſent our moſt loyal and thankful "hearts, even the laſt drop of blood in our hearts, and "the laſt ſpirit of breath in our noſtrils, to be poured "out, to be breathed up for your ſafety." The queen heard very patiently this ſpeech, in which ſhe was flattered in phraſes appropriated to the Supreme Being; and ſhe returned an anſwer full of ſuch expreſſions of tenderneſs towards her people, as ought to have appeared fulſome after the late inſtances of rigour which ſhe had employed, and from which nothing but neceſſity

* We learn from Hentzner's Travels, that no one ſpoke to queen Elizabeth without kneeling; though now and then ſhe raiſed ſome with waving her hand. Nay, wherever ſhe turned her eye, every one fell on his knees. Her ſucceſſor firſt allowed his courtiers to omit this ceremony; and as he exerted not the power, ſo he relinquiſhed the appearance, of deſpotiſm. Even when queen Elizabeth was abſent, thoſe who covered her table, though perſons of quality, neither approached it nor retired from it without kneeling, and that often three times.

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had made her depart. Thus was this critical affair happily terminated; and Elizabeth, by prudently receding in time, from part of her prerogative, maintained her dignity, and preſerved the affections of her people.

The commons granted her a ſupply quite unprecedented, of four ſubſidies and eight fifteenths; and they were ſo dutiful as to vote this ſupply before they received any ſatisfaction in the buſineſs of monopolies, which they juſtly conſidered as of the utmoſt importance to the intereſt and happineſs of the nation. Had they attempted to extort that conceſſion by keeping the ſupply in ſuſpenſe; ſo haughty was the queen's diſpoſition, that this appearance of conſtraint and jealouſy had been ſufficient to have produced a denial of all their requeſts, and to have forced her into ſome acts of authority ſtill more violent and arbitrary.

(1602.) The remaining events of this reign are neither numerous nor important. The queen, finding that the Spaniards had involved her in ſo much trouble, by fomenting and aſſiſting the Iriſh rebellion, reſolved to give them employment at home; and ſhe fitted out a ſquadron of nine ſhips, under ſir Richard Leviſon, admiral, and ſir William Monſon, vice-admiral, whom ſhe ſent on an expedition to the coaſt of Spain. The admiral, with part of the ſquadron, met the galleons loaded with treaſure; but was not ſtrong enough to attack them. The vice-admiral alſo fell in with ſome rich ſhips; but they eſcaped for a like reaſon: And theſe two brave officers, that their expedition might not prove entirely fruitleſs, reſolved to attack the harbour of Cerimbra in Portugal; where they received intelligence, a very rich carrack had taken ſhelter. The harbour was guarded by a caſtle: There were eleven gallies ſtationed in it: And the militia of the country, to the number, as was believed, of twenty thouſand men, appeared in arms on the ſhore: Yet, notwithſtanding theſe obſtacles, and others derived from the winds and tides, the Engliſh ſquadron broke into the harbour, diſmounted the guns of the caſtle, ſunk, or burnt, or put to

flight, the gallies, and obliged the carrack to ſurrender. They brought her home to England, and ſhe was valued at a million of ducats: A ſenſible loſs to the Spaniards; and a ſupply ſtill more important to Elizabeth *.

The affairs of Ireland, after the defeat of Tyrone and the expulſion of the Spaniards, haſtened to a ſettlement. Lord Mountjoy divided his army into ſmall parties, and haraſſed the rebels on every ſide: He built Charlemont, and many other ſmall forts, which were impregnable to the Iriſh, and guarded all the important paſſes of the country: The activity of ſir Henry Docwray and ſir Arthur Chicheſter permitted no repoſe or ſecurity to the rebels: And many of the chieftains, after ſkulking, during ſome time, in woods and moraſſes, ſubmitted to mercy, and received ſuch conditions as the deputy was pleaſed to impoſe upon them. (1603.) Tyrone himſelf made application by Arthur Mac-Baron, his brother, to be received upon terms; but Mountjoy would not admit him except he made an abſolute ſurrender of his life and fortunes to the queen's mercy. He appeared before the deputy at Milleſont, in a habit and poſture ſuitable to his preſent fortune; and after acknowledging his offence in the moſt humble terms, he was committed to cuſtody by Mountjoy, who intended to bring him over captive into England, to be diſpoſed of at the queen's pleaſure.

But Elizabeth was now incapable of receiving any ſatisfaction from this fortunate event: She had fallen into a profound melancholy; which all the advantages of her high fortune, all the glories of her proſperous reign, were unable in any degree to alleviate or aſſuage. Some aſcribed this depreſſion of mind to her repentance of granting a pardon to Tyrone, whom ſhe had always

* This year the Spaniards began the ſiege of Oſtend, which was bravely defended for five months by ſir Francis Vere. The States then relieved him, by ſending a new governor; and on the whole the ſiege laſted three years, and is computed to have coſt the lives of a hundred thouſand men.

reſolved to bring to condign puniſhment for his treaſons, but who had made ſuch intereſt with the miniſters, as to extort a remiſſion from her. Others, with more likelihood, accounted for her dejection by a diſcovery which ſhe had made of the correſpondence maintained in her court with her ſucceſſor the king of Scots, and by the neglect to which, on account of her old age and infirmities, ſhe imagined herſelf to be expoſed. But there is another cauſe aſſigned for her melancholy, which has long been rejected by hiſtorians as romantic, but which late diſcoveries ſeem to have confirmed *: Some incidents happened which revived her tenderneſs for Eſſex, and filled her with the deepeſt ſorrow for the conſent which ſhe had unwarily given to his execution.

The earl of Eſſex, after his return from the fortunate expedition againſt Cadiz, obſerving the increaſe of the queen's fond attachment towards him, took occaſion to regret, that the neceſſity of her ſervice required him often to be abſent from her perſon, and expoſed him to all thoſe ill offices, which his enemies, more aſſiduous in their attendance, could employ againſt him. She was moved with this tender jealouſy; and making him the preſent of a ring, deſired him to keep that pledge of her affection, and aſſured him, that into whatever diſgrace he ſhould fall, whatever prejudices ſhe might be induced to entertain againſt him, yet, if he ſent her that ring, ſhe would immediately upon the ſight of it recal her former tenderneſs, would afford him a patient hearing, and would lend a favourable ear to his apology. Eſſex, notwithſtanding all his misfortunes, reſerved this precious gift to the laſt extremity; but after his trial and condemnation, he reſolved to try the experiment, and he committed the ring to the counteſs of Nottingham, whom he deſired to deliver it to the queen. The counteſs was prevailed on by her huſband, the mortal enemy of Eſſex, not to execute the commiſſion; and Elizabeth,

* See the proofs of this remarkable fact collected in Birch's Negotiations, p. 206.; and Memoirs, vol. ii. p. 481. 505, 506, &c.

who

who ſtill expected that her favourite would make this laſt appeal to her tenderneſs, and who aſcribed the neglect of it to his invincible obſtinacy, was, after much delay and many internal combats, puſhed by reſentment and policy to ſign the warrant for his execution. The counteſs of Nottingham falling into ſickneſs, and affected with the near approach of death, was ſeized with remorſe for her conduct; and having obtained a viſit from the queen, ſhe craved her pardon, and revealed to her the fatal ſecret. The queen, aſtoniſhed with this incident, burſt into a furious paſſion: She ſhook the dying counteſs in her bed; and crying to her, *That God might pardon her, but ſhe never could*, ſhe broke from her, and thenceforth reſigned herſelf over to the deepeſt and moſt incurable melancholy. She rejected all conſolation: She even refuſed food and ſuſtenance: And throwing herſelf on the floor, ſhe remained ſullen and immoveable, feeding her thoughts on her afflictions, and declaring life and exiſtence an inſufferable burden to her. Few words ſhe uttered; and they were all expreſſive of ſome inward grief, which ſhe cared not to reveal: But ſighs and groans were the chief vent which ſhe gave to her deſpondency, and which, though they diſcovered her ſorrows, were never able to eaſe or aſſuage them. Ten days and nights ſhe lay upon the carpet, leaning on cuſhions which her maids brought her; and her phyſicians could not perſuade her to allow herſelf to be put to bed, much leſs to make trial of any remedies which they preſcribed to her. Her anxious mind at laſt had ſo long preyed on her frail body, that her end was viſibly approaching; and the council, being aſſembled, ſent the keeper, admiral, and ſecretary, to know her will with regard to her ſucceſſor. She anſwered with a faint voice, that, as ſhe had held a regal ſceptre, ſhe deſired no other than a royal ſucceſſor. Cecil requeſting her to explain herſelf more particularly, ſhe ſubjoined, that ſhe would have a king to ſucceed her; and who ſhould that be but her neareſt kinſman, the king of Scots? Being then adviſed by the archbiſhop of Canterbury to fix her thoughts upon God, ſhe replied, that ſhe did ſo, nor

did her mind in the leaſt wander from him. Her voice ſoon after left her; her ſenſes failed; ſhe fell into a lethargic ſlumber, which continued ſome hours; and ſhe expired gently *, without farther ſtruggle or convulſion, in the ſeventieth year of her age, and forty-fifth of her reign.

So dark a cloud overcaſt the evening of that day, which had ſhone out with a mighty luſtre in the eyes of all Europe. There are few great perſonages in hiſtory who have been more expoſed to the calumny of enemies, and the adulation of friends, than queen Elizabeth; and yet there ſcarcely is any whoſe reputation has been more certainly determined by the unanimous conſent of poſterity. The unuſual length of her adminiſtration, and the ſtrong features of her character, were able to overcome all prejudices; and obliging her detractors to abate much of their invectives, and her admirers ſomewhat of their panegyrics, have at laſt, in ſpite of political factions, and, what is more, of religious animoſities, produced a uniform judgment with regard to her conduct. Her vigour, her conſtancy, her magnanimity, her penetration, vigilance, addreſs, are allowed to merit the higheſt praiſes, and appear not to have been ſurpaſſed by any perſon that ever filled a throne: A conduct leſs rigorous, leſs imperious, more ſincere, more indulgent to her people, would have been requiſite to form a perfect character. By the force of her mind, ſhe controlled all her more active and ſtronger qualities, and prevented them from running into exceſſes: Her heroiſm was exempt from temerity, her frugality from avarice, her friendſhip from partiality, her active temper from turbulency and a vain ambition: She guarded not herſelf with equal care or equal ſucceſs from leſſer infirmities; the rivalſhip of beauty, the deſire of admiration, the jealouſy of love, and the ſallies of anger.

Her ſingular talents for government were founded equally on her temper and on her capacity. Endowed with a great command over herſelf, ſhe ſoon obtained an

* 24th March 1603.

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uncontrolled aſcendant over her people; and while ſhe merited all their eſteem by her real virtues, ſhe alſo engaged their affections by her pretended ones. Few ſovereigns of England ſucceeded to the throne in more difficult circumſtances; and none ever conducted the government with ſuch uniform ſucceſs and felicity. Though unacquainted with the practice of toleration, the true ſecret for managing religious factions, ſhe preſerved her people, by her ſuperior prudence, from thoſe confuſions in which theological controverſy had involved all the neighbouring nations: And though her enemies were the moſt powerful princes of Europe, the moſt active, the moſt enterpriſing, the leaſt ſcrupulous, ſhe was able, by her vigour, to make deep impreſſion on their ſtates: Her own greatneſs meanwhile remained untouched and unimpaired.

The wiſe miniſters and brave warriors who flouriſhed under her reign, ſhare the praiſe of her ſucceſs; but inſtead of leſſening the applauſe due to her, they make a great addition to it. They owed all of them their advancement to her choice; they were ſupported by her conſtancy; and with all their abilities they were never able to acquire any undue aſcendant over her. In her family, in her court, in her kingdom, ſhe remained equally miſtreſs: The force of the tender paſſions was great over her, but the force of her mind was ſtill ſuperior; and the combat which her victory viſibly coſt her, ſerves only to diſplay the firmneſs of her reſolution, and the loftineſs of her ambitious ſentiments.

The fame of this princeſs, though it has ſurmounted the prejudices both of faction and bigotry, yet lies ſtill expoſed to another prejudice, which is more durable becauſe more natural, and which, according to the different views in which we ſurvey her, is capable either of exalting beyond meaſure, or diminiſhing the luſtre of her character. This prejudice is founded on the conſideration of her ſex. When we contemplate her as a woman, we are apt to be ſtruck with the higheſt admiration of her great qualities and extenſive capacity; but we are alſo apt to require ſome more ſoftneſs of diſpoſition, ſome

greater lenity of temper, ſome of thoſe amiable weakneſſes by which her ſex is diſtinguiſhed. But the true method of eſtimating her merit, is to lay aſide all theſe conſiderations, and conſider her merely as a rational being placed in authority, and entruſted with the government of mankind. We may find it difficult to reconcile our fancy to her as a wife or a miſtreſs; but her qualities as a ſovereign, though with ſome conſiderable exceptions, are the object of undiſputed applauſe and approbation.

APPENDIX III.

Government of England—Revenues—Commerce—Military force—Manufactures—Learning.

THE party among us who have diſtinguiſhed themſelves by their adhering to liberty and a popular government, have long indulged their prejudices againſt the ſucceeding race of princes, by beſtowing unbounded panegyrics on the virtue and wiſdom of Elizabeth. They have even been ſo extremely ignorant of the tranſactions of this reign, as to extol her for a quality which, of all others, ſhe was the leaſt poſſeſſed of; a tender regard for the conſtitution, and a concern for the liberties and privileges of her people. But as it is ſcarcely poſſible for the prepoſſeſſions of party to throw a veil much longer over facts ſo palpable and undeniable, there is danger leſt the public ſhould run into the oppoſite extreme, and ſhould entertain an averſion to the memory of a princeſs who exerciſed the royal authority in a manner ſo contrary to all the ideas which we at preſent entertain of a legal conſtitution. But Elizabeth only ſupported the prerogatives tranſmitted to her by her predeceſſors: She believed that her ſubjects were entitled to no more liberty than their anceſtors had enjoyed: She found that they entirely acquieſced in her arbitrary adminiſtration: And it was not natural for her to find fault with a form of go-

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vernment by which ſhe herſelf was inveſted with ſuch unlimited authority. In the particular exertions of power the queſtion ought never to be forgotten, *What is beſt?* But in the general diſtribution of power among the ſeveral members of a conſtitution, there can ſeldom be admitted any other queſtion than, *What is eſtabliſhed?* Few examples occur of princes who have willingly reſigned their power: None of thoſe who have, without ſtruggle and reluctance, allowed it to be extorted from them. If any other rule than eſtabliſhed practice be followed, factions and diſſenſions muſt multiply without end: And though many conſtitutions, and none more than the Britiſh, have been improved even by violent innovations, the praiſe beſtowed on thoſe patriots to whom the nation has been indebted for its privileges, ought to be given with ſome reſerve, and ſurely without the leaſt rancour againſt thoſe who adhered to the ancient conſtitution *.

In order to underſtand the ancient conſtitution of England, there is not a period which deſerves more to be ſtudied than the reign of Elizabeth. The prerogatives of this princeſs were ſcarcely ever diſputed, and ſhe therefore employed them without ſcruple: Her imperious temper, a circumſtance in which ſhe went far beyond her ſucceſſors, rendered her exertions of power violent and frequent, and diſcovered the full extent of her authority: The great popularity which ſhe enjoyed, proves that ſhe

* By the ancient conſtitution, is here meant that which prevailed before the ſettlement of our preſent plan of liberty. There was a more ancient conſtitution, where, though the people had perhaps leſs liberty than under the Tudors, yet the king had alſo leſs authority. The power of the barons was a great check upon him, and exerciſed with great tyranny over them. But there was ſtill a more ancient conſtitution, viz that before the ſigning of the charters, when neither the people nor the barons had any regular privileges; and the power of the government, during the reign of an able prince, was almoſt wholly in the king. The Engliſh conſtitution, like all others, has been in a ſtate of continual fluctuation.

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did not infringe any *eſtabliſhed* liberties of the people: There remains evidence ſufficient to aſcertain the moſt noted acts of her adminiſtration: And though that evidence muſt be drawn from a ſource wide of the ordinary hiſtorians, it becomes only the more authentic on that account, and ſerves as a ſtronger proof that her particular exertions of power were conceived to be nothing but the ordinary courſe of adminiſtration, ſince they were not thought remarkable enough to be recorded even by contemporary writers. If there was any difference in this particular, the people in former reigns ſeem rather to have been more ſubmiſſive than even during the age of Elizabeth *: It may not here be improper to recount ſome of the ancient prerogatives of the crown, and lay open the ſources of that great power which the Engliſh monarchs formerly enjoyed.

One of the moſt ancient and moſt eſtabliſhed inſtruments of power was the court of Star-chamber, which poſſeſſed an unlimited diſcretionary authority of fining, impriſoning, and inflicting corporal puniſhment, and whoſe juriſdiction extended to all ſorts of offences, contempts, and diſorders, that lay not within reach of the common law. The members of this court conſiſted of the privy-council and the judges; men who, all of them, enjoyed their offices during pleaſure: And when the prince himſelf was preſent, he was the ſole judge, and all the others could only interpoſe with their advice. There needed but this one court in any government to put an end to all regular, legal, and exact plans of liberty: For who durſt ſet himſelf in oppoſition to the crown and miniſtry, or aſpire to the character of being a patron of freedom, while expoſed to ſo arbitrary a juriſdiction? I

* In a memorial of the ſtate of the realm, drawn by ſecretary Cecil in 1569, there is this paſſage: "Then followeth "the decay of obedience in civil policy which being com- "pared with the fearfulneſs and reverence of all inferior "eſtates to their ſuperiors in times paſt, will aſtoniſh any "wiſe and conſiderate perſon, to behold the deſperation of "reformation."

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much queſtion whether any of the abſolute monarchies in Europe contain at preſent ſo illegal and deſpotic a tribunal.

The court of High Commiſſion was another juriſdiction ſtill more terrible; both becauſe the crime of hereſy, of which it took cogniſance, was more undefinable than any civil offence, and becauſe its methods of inquiſition, and of adminiſtering oaths, were more contrary to all the moſt ſimple ideas of juſtice and equity. The fines and impriſonments impoſed by this court were frequent: The deprivations and ſuſpenſions of the clergy for nonconformity were alſo numerous, and comprehended at one time the third of all the eccleſiaſtics of England. The queen, in a letter to the archbiſhop of Canterbury, ſaid expreſly, that ſhe was reſolved, "That no man "ſhould be ſuffered to decline, either on the left or on "the right hand, from the drawn line limited by au-"thority, and by her laws and injunctions."

But Martial Law went beyond even theſe two courts in a prompt, and arbitrary, and violent method of deciſion. Whenever there was any inſurrection or public diſorder, the crown employed martial law; and it was, during that time, exerciſed not only over the ſoldiers, but over the whole people: Any one might be puniſhed as a rebel, or an aider and abettor of rebellion, whom the provoſt-marſhal, or lieutenant of a county, or their deputies, pleaſed to ſuſpect. Lord Bacon ſays, that the trial at common law, granted to the earl of Eſſex and his fellow conſpirators, was a favour; for that the caſe would have borne and required the ſeverity of martial law. We have ſeen inſtances of its being employed by queen Mary in defence of orthodoxy. There remains a letter of queen Elizabeth's to the earl of Suſſex, after the ſuppreſſion of the northern rebellion, in which ſhe ſharply reproves him becauſe ſhe had not heard of his having executed any criminals by martial law; though it is probable that near eight hundred perſons ſuffered, one way or other, on account of that ſlight inſurrection. But the kings of England did not always limit the exerciſe of this law to times of civil war and diſorder. In 1552, when

when there was no rebellion or inſurrection, king Edward granted a commiſſion of martial law; and empowered the commiſſioners to execute it, *as ſhould be thought by their diſcretions moſt neceſſary*. Queen Elizabeth too was not ſparing in the uſe of this law. In 1573, one Peter Burchet, a puritan, being perſuaded that it was meritorious to kill ſuch as oppoſed the truth of the goſpel, ran into the ſtreet, and wounded Hawkins, the famous ſea-captain, whom he took for Hatton, the queen's favourite. The queen was ſo incenſed, that ſhe ordered him to be puniſhed inſtantly by martial law; but, upon the remonſtrance of ſome prudent counſellors, who told her that this law was uſually confined to turbulent times, ſhe recalled her order, and delivered over Burchet to the common law. But ſhe continued not always ſo reſerved in exerting this authority. There remains a proclamation of her's, in which ſhe orders martial law to be uſed againſt all ſuch as import bulls, or even forbidden books and pamphlets, from abroad; and prohibits the queſtioning of the lieutenants, or their deputies, for their arbitrary puniſhment of ſuch offenders, *any law or ſtatute to the contrary in anywiſe notwithſtanding*. We have another act of her's ſtill more extraordinary. The ſtreets of London were much infeſted with idle vagabonds and riotous perſons: The lord mayor had endeavoured to repreſs this diſorder: The ſtar-chamber had exerted its authority, and inflicted puniſhment on theſe rioters: But the queen, finding thoſe remedies ineffectual, revived martial law, and gave ſir Thomas Wilford a commiſſion of provoſt-marſhal: "Granting him au-
"thority, and commanding him, upon ſignification given
"by the juſtices of peace in London, or the neighbour-
"ing counties, of ſuch offenders worthy to be ſpeedily
"executed by martial law, to attach and take the ſame
"perſons, and in the preſence of the ſaid juſtices, ac-
"cording to juſtice of martial law, to execute them upon
"the gallows or gibbet openly, or near to ſuch place
"where the ſaid rebellious and incorrigible offenders
"ſhall be found to have committed the ſaid great of-
"fences.". I ſuppoſe it would be difficult to produce

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an inſtance of ſuch an act of authority in any place nearer than Muſcovy. The patent of high conſtable, granted to earl Rivers by Edward IV. proves the nature of the office. The powers are unlimited, perpetual, and remain in force during peace as well as during war and rebellion. The parliament in Edward VIth's reign acknowledged the juriſdiction of the conſtable and marſhal's court to be part of the law of the land.

The Star-chamber and High Commiſſion, and Court-martial, though arbitrary juriſdictions, had ſtill ſome pretence of a trial, at leaſt of a ſentence; but there was a grievous puniſhment very generally inflicted in that age, without any other authority than the warrant of a ſecretary of ſtate, or of the privy-council *; and that was, impriſonment in any jail, and during any time that the miniſters ſhould think proper. In ſuſpicious times, all the jails were full of priſoners of ſtate; and theſe unhappy victims of public jealouſy were ſometimes thrown into dungeons, and loaded with irons, and treated in the moſt cruel manner, without their being able to obtain any remedy from law.

This practice was an indirect way of employing torture: But the rack itſelf, though not admitted in the ordinary execution of juſtice, was frequently uſed, upon any ſuſpicion, by authority of a warrant from a ſecretary or the privy-council. Even the council in the marches of Wales was empowered, by their very commiſſion, to make uſe of torture whenever they thought proper. There cannot be a ſtronger proof how lightly the rack was employed, than the following ſtory told by lord Bacon. We ſhall give it in his own words: "The queen "was mightily incenſed againſt Haywarde, on account "of a book he dedicated to lord Eſſex, being a ſtory of "the firſt year of Henry IV. thinking it a ſeditious pre-"lude to put into the people's heads boldneſs and fac-

* In 1588, the lord mayor committed ſeveral citizens to priſon, becauſe they refuſed to pay the loan demanded of them.

"tion:

" tion *: She ſaid, ſhe had an opinion that there was " treaſon in it, and aſked me, If I could not find any " places in it, that might be drawn within the caſe of " treaſon? Whereto I anſwered, For treaſon, ſure I " found none; but for felony very many: And when " her majeſty haſtily aſked me, Wherein? I told her, " the author had committed very apparent theft: For " he had taken moſt of the ſentences of Cornelius Ta- " citus, and tranſlated them into Engliſh, and put them " into his text. And another time when the queen " could not be perſuaded that it was his writing whoſe " name was to it, but that it had ſome more miſchievous " author, and ſaid, with great indignation, that ſhe would " have him racked to produce his author; I replied, " Nay, madam, he is a doctor, never rack his perſon, " but rack his ſtyle: Let him have pen, ink, and pa- " per, and help of books, and be enjoined to continue " the ſtory where it breaketh off, and I will undertake, " by collating the ſtyles, to judge whether he were the " author or no." Thus, had it not been for Bacon's humanity, or rather his wit, this author, a man of letters, had been put to the rack for a moſt innocent performance. His real offence was, his dedicating a book to that munificent patron of the learned, the earl of Eſſex, at a time when this nobleman lay under her majeſty's diſpleaſure.

The queen's menace, of trying and puniſhing Haywarde for treaſon, could eaſily have been executed, let his book have been ever ſo innocent. While ſo many terrors hung over the people, no jury durſt have acquitted a man, when the court was reſolved to have him condemned. The practice alſo of not confronting witneſſes with the priſoner, gave the crown lawyers all imaginable

* To our apprehenſion, Haywarde's book ſeems rather to have a contrary tendency. For he has there preſerved the famous ſpeech of the biſhop of Carliſle, which contains, in the moſt expreſs terms, the doctrine of paſſive obedience. But queen Elizabeth was very difficult to pleaſe on this head.

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advantage againſt him. And, indeed, there ſcarcely occurs an inſtance during all theſe reigns, that the ſovereign or the miniſters were ever diſappointed in the iſſue of a proſecution. Timid juries, and judges who held their offices during pleaſure, never failed to ſecond all the views of the crown. And as the practice was anciently common, of fining, impriſoning, or otherwiſe puniſhing the jurors, merely at the diſcretion of the court, for finding a verdict contrary to the direction of theſe dependant judges; it is obvious, that juries were then no manner of ſecurity to the liberty of the ſubject.

The power of preſſing, both for ſea and land ſervice, and obliging any perſon to accept of any office, however mean or unfit for him, was another prerogative totally incompatible with freedom. Oſborne gives the following account of Elizabeth's method of employing this prerogative: "In caſe ſhe found any likely to interrupt her occaſions," ſays he, "ſhe did ſeaſonably prevent him by "a chargeable employment abroad, or putting him upon "ſome ſervice at home, which ſhe knew leaſt grateful to "the people: Contrary to a falſe maxim, ſince practiſed "with far worſe ſucceſs, by ſuch princes as thought it "better huſbandry to buy off enemies than reward "friends." The practice with which Oſborne reproaches the two immediate ſucceſſors of Elizabeth, proceeded partly from the extreme difficulty of their ſituation, partly from the greater lenity of their diſpoſition. The power of preſſing, as may naturally be imagined, was often abuſed, in other reſpects, by men of inferior rank; and officers often exacted money for freeing perſons from the ſervice.

The government of England, during that age, however different in other particulars, bore, in this reſpect, ſome reſemblance of that of Turkey at preſent: The ſovereign poſſeſſed every power except that of impoſing taxes: And in both countries this limitation, unſupported by other privileges, appears rather prejudicial to the people. In Turkey, it obliges the ſultan to permit the extortion of the baſhas and governors of provinces, from

whom he afterwards ſqueezes preſents or takes forfeitures: In England, it engaged the queen to erect monopolies, and grant patents for excluſive trade: An invention ſo pernicious, that, had ſhe gone on during a tract of years at her own rate, England, the ſeat of riches, and arts, and commerce, would have contained at preſent as little induſtry as Morocco, or the coaſt of Barbary.

We may farther obſerve, that this valuable privilege, valuable only becauſe it proved afterwards the means by which the parliament extorted all their other privileges, was very much encroached on in an indirect manner during the reign of Elizabeth, as well as of her predeceſſors. She often exacted loans from her people; an arbitrary and unequal kind of impoſition, and which individuals felt ſeverely: For though the money had been regularly repayed, which was ſeldom the caſe, it lay in the prince's hands without intereſt, which was a ſenſible loſs to the perſons from whom the money was borrowed *.

There remains a propoſal made by lord Burleigh for levying a general loan on the people, equivalent to a ſubſidy; a ſcheme which would have laid the burden more equally, but which was, in different words, a taxation impoſed without conſent of parliament. It is remarkable, that the ſcheme thus propoſed without any viſible neceſſity by that wiſe miniſter, is the very ſame which Henry VIII. executed, and which Charles I., enraged by ill uſage from his parliament, and reduced to the greateſt difficulties, put afterwards in practice, to the great diſcontent of the nation.

The demand of benevolence was another invention of that age for taxing the people. This practice was ſo

* In the ſecond of Richard II. it was enacted, That in loans, which the king ſhall require of his ſubjects upon letters of privy ſeal, ſuch as have *reaſonable* excuſe of not lending, may there be received without further ſummons, travel, or grief. By this law the king's prerogative of exacting loans was ratified; and what ought to be deemed a *reaſonable* excuſe, was ſtill left in his own breaſt to determine.

little conceived to be irregular, that the commons in 1585 offered the queen a benevolence; which ſhe very generouſly refuſed, as having no occaſion at that time for money. Queen Mary alſo, by an order of council, increaſed the cuſtoms in ſome branches; and her ſiſter imitated the example. There was a ſpecies of ſhip-money impoſed at the time of the Spaniſh invaſion: The ſeveral ports were required to equip a certain number of veſſels at their own charge; and ſuch was the alacrity of the people for the public defence, that ſome of the ports, particularly London, ſent double the number demanded of them. When any levies were made for Ireland, France, or the Low Countries, the queen obliged the counties to levy the ſoldiers, to arm and clothe them, and carry them to the ſea-ports at their own charge. New-year's gifts were at that time expected from the nobility, and from the more conſiderable gentry.

Purveyance and pre-emption were alſo methods of taxation, unequal, arbitrary, and oppreſſive. The whole kingdom ſenſibly felt the burden of thoſe impoſitions; and it was regarded as a great privilege conferred on Oxford and Cambridge, to prohibit the purveyors from taking any commodities within five miles of theſe univerſities. The queen victualled her navy by means of this prerogative, during the firſt years of her reign.

Wardſhip was the moſt regular and legal of all theſe impoſitions by prerogative. Yet was it a great badge of ſlavery, and oppreſſive to all the conſiderable families. When an eſtate devolved to a female, the ſovereign obliged her to marry any one he pleaſed: Whether the heir were male or female, the crown enjoyed the whole profit of the eſtate during the minority. The giving of a rich wardſhip was a uſual method of rewarding a courtier or favourite.

The inventions were endleſs which arbitrary power might employ for the extorting of money, while the people imagined that their property was ſecured by the crown's being debarred from impoſing taxes. Strype has preſerved a ſpeech of lord Burleigh to the queen and council, in which are contained ſome particulars not a

little extraordinary. Burleigh propoſes that ſhe ſhould erect a court for the correction of all abuſes, and ſhould confer on the commiſſioners a general inquiſitorial power over the whole kingdom. He ſets before her the example of her wiſe grandfather, Henry VII. who, by ſuch methods, extremely augmented his revenue; and he recommends that this new court ſhould proceed, "as well "by the direction and ordinary courſe of the laws, as "by virtue of her majeſty's ſupreme regiment and *abſo-* "*lute power, from whence law proceeded.*" In a word, he expects from this inſtitution greater acceſſion to the royal treaſure than Henry VIII. derived from the abolition of the abbeys, and all the forfeitures of eccleſiaſtical revenues. This project of lord Burleigh's needs not, I think, any comment. A form of government muſt be very arbitrary indeed, where a wiſe and good miniſter could make ſuch a propoſal to the ſovereign.

Embargoes on merchandiſe was another engine of royal power, by which the Engliſh princes were able to extort money from the people. We have ſeen inſtances in the reign of Mary. Elizabeth, before her coronation, iſſued an order to the cuſtom-houſe, prohibiting the ſale of all crimſon ſilks which ſhould be imported, till the court were firſt ſupplied. She expected, no doubt, a good penny-worth from the merchants while they lay under this reſtraint.

The parliament pretended to the right of enacting laws, as well as of granting ſubſidies; but this privilege was, during that age, ſtill more inſignificant than the other. Queen Elizabeth expreſly prohibited them from meddling either with ſtate matters or eccleſiaſtical cauſes; and ſhe openly ſent the members to priſon who dared to tranſgreſs her imperial edict in theſe particulars. There paſſed few ſeſſions of parliament during her reign where there occur not inſtances of this arbitrary conduct.

But the legiſlative power of the parliament was a mere fallacy; while the ſovereign was univerſally acknowledged to poſſeſs a diſpenſing power, by which all the laws could be invalidated, and rendered of no effect. The exerciſe of this power was alſo an indirect method

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practiſed for erecting monopolies. Where the ſtatutes laid any branch of manufacture under reſtrictions, the ſovereign, by exempting one perſon from the laws, gave him in effect the monopoly of that commodity. There was no grievance at that time more univerſally complained of than the frequent diſpenſing with the penal laws.

But in reality the crown poſſeſſed the full legiſlative power by means of proclamations, which might affect any matter even of the greateſt importance, and which the ſtar-chamber took care to ſee more rigorouſly executed than the laws themſelves. The motives for theſe proclamations were ſometimes frivolous and even ridiculous. Queen Elizabeth had taken offence at the ſmell of woad; and ſhe iſſued an edict prohibiting any one from cultivating that uſeful plant. She was alſo pleaſed to take offence at the long ſwords and high ruffs then in faſhion: She ſent about her officers to break every man's ſword, and clip every man's ruff, which was beyond a certain dimenſion. This practice reſembles the method employed by the great Czar Peter, to make his ſubjects change their garb.

The queen's prohibition of the *propheſyings*, or the aſſemblies inſtituted for fanatical prayers and conferences, was founded on a better reaſon; but ſhows ſtill the unlimited extent of her prerogative. Any number of perſons could not meet together in order to read the ſcriptures, and confer about religion, though in ever ſo orthodox a manner, without her permiſſion.

There were many other branches of prerogative incompatible with an exact or regular enjoyment of liberty. None of the nobility could marry without permiſſion from the ſovereign. The queen detained the earl of Southampton long in priſon, becauſe he privately married the earl of Eſſex's couſin. No man could travel without the conſent of the prince. Sir William Evers underwent a ſevere perſecution becauſe he had preſumed to pay a private viſit to the king of Scots. The ſovereign even aſſumed a ſupreme and uncontrolled authority over all foreign trade; and neither allowed any perſon to en-

ter or depart the kingdom, nor any commodity to be imported or exported, without his conſent.

The parliament, in the 13th of the queen, praiſed her for not imitating the practice uſual among her predeceſſors, of ſtopping the courſe of juſtice by particular warrants. There could not poſſibly be a greater abuſe, nor a ſtronger mark of arbitrary power; and the queen in refraining from it was very laudable. But ſhe was by no means conſtant in this reſerve. There remain in the public records ſome warrants of her's for exempting particular perſons from all lawſuits and proſecutions; and theſe warrants, ſhe ſays, ſhe grants from her royal prerogative, which ſhe will not allow to be diſputed.

It was very uſual in queen Elizabeth's reign, and probably in all the preceding reigns, for noblemen or privy-counſellors to commit to priſon any one who had happened to diſpleaſe them, by ſuing for his juſt debts; and the unhappy perſon, though he gained his cauſe in the courts of juſtice, was commonly obliged to relinquiſh his property in order to obtain his liberty. Some, likewiſe, who had been delivered from priſon by the judges, were again committed to cuſtody in ſecret places, without any poſſibility of obtaining relief; and even the officers and ſerjeants of the courts of law were puniſhed for executing the writs in favour of theſe perſons. Nay, it was uſual to ſend for people by purſuivants, a kind of harpies, who then attended the orders of the council and high commiſſion; and they were brought up to London, and conſtrained by impriſonment, not only to withdraw their lawful ſuits, but alſo to pay the purſuivants great ſums of money. The judges, in the 34th of the queen, complain to her majeſty of the frequency of this practice. It is probable that ſo egregious a tyranny was carried no farther down than the reign of Elizabeth; ſince the parliament who preſented the petition of right, found no later inſtances of it. And even theſe very judges of Elizabeth who thus protect the people againſt the tyranny of the great, expreſly allow, that a perſon committed by ſpecial command of the queen is not bailable.

It

It is eaſy to imagine that in ſuch a government, no juſtice could by courſe of law be obtained of the ſovereign, unleſs he were willing to allow it. In the naval expedition undertaken by Raleigh and Frobiſher againſt the Spaniards in the year 1592, a very rich carrack was taken, worth two hundred thouſand pounds. The queen's ſhare in the adventure was only a tenth; but as the prize was ſo great, and exceeded ſo much the expectation of all the adventurers, ſhe was determined not to reſt contented with her ſhare. Raleigh humbly and earneſtly begged her to accept of a hundred thouſand pounds in lieu of all demands, or rather extortions; and ſays, that the preſent which the proprietors were willing to make her, of eighty thouſand pounds, was the greateſt that ever prince received from a ſubject.

But it is no wonder the queen in her adminiſtration ſhould pay ſo little regard to liberty; while the parliament itſelf in enacting laws was entirely negligent of it. The perſecuting ſtatutes which they paſſed againſt papiſts and puritans are extremely contrary to the genius of freedom; and by expoſing ſuch multitudes to the tyranny of prieſts and bigots, accuſtomed the people to the moſt diſgraceful ſubjection. Their conferring an unlimited ſupremacy on the queen, or, what is worſe, acknowledging her inherent right to it, was another proof of their voluntary ſervitude.

The law of the 23d of her reign, making ſeditious words againſt the queen capital, is alſo a very tyrannical ſtatute; and a uſe no leſs tyrannical was ſometimes made of it. The caſe of Udal, a puritanical clergyman, ſeems ſingular even in thoſe arbitrary times. This man had publiſhed a book called a Demonſtration of Diſcipline, in which he inveighed againſt the government of biſhops; and though he had carefully endeavoured to conceal his name, he was thrown into priſon upon ſuſpicion, and brought to a trial for this offence. It was pretended, that the biſhops were part of the queen's political body; and to ſpeak againſt them was really to attack her, and was therefore felony by the ſtatute. This was not the only iniquity to which Udal was expoſed.

ed. The judges would not allow the jury to determine any thing but the fact, whether Udal had written the book or not, without examining his intention or the import of the words. In order to prove the fact, the crown lawyers did not produce a ſingle witneſs to the court: They only read the teſtimony of two perſons abſent, one of whom ſaid, that Udal had told him he was the author; another, that a friend of Udal's had ſaid ſo. They would not allow Udal to produce any exculpatory evidence; which they ſaid was never to be permitted againſt the crown *. And they tendered him an oath, by which he was required to depoſe, that he was not the author of the book; and his refuſal to make that depoſition was employed as the ſtrongeſt proof of his guilt. It is almoſt needleſs to add, that notwithſtanding theſe multiplied iniquities, a verdict of death was given by the jury againſt Udal: For, as the queen was extremely bent upon his proſecution, it was impoſſible he could eſcape. He died in priſon before execution of the ſentence.

The caſe of Penry was, if poſſible, ſtill harder. This man was a zealous puritan, or rather a Browniſt, a ſmall ſect which afterwards increaſed, and received the name of Independents. He had written againſt the hierarchy ſeveral tracts, ſuch as Martin Marprelate, *Theſes Martinianæ*, and other compoſitions, full of low ſcurrility and petulant ſatire. After concealing himſelf for ſome years, he was ſeized; and, as the ſtatute againſt ſeditious words required that the criminal ſhould be tried within a year after committing the offence, he could not be indicted for his printed books. He was therefore tried for ſome papers found in his pocket, as if he had thereby ſcattered ſedition. It was alſo imputed to him, by the lord-keeper, Puckering, that in ſome of theſe papers "he had not only acknowledged her majeſty's "royal power to *eſtabliſh* laws, eccleſiaſtical and civil; but

* It was never fully eſtabliſhed that the priſoner could legally produce evidence againſt the crown, till after the Revolution. See Blackſtone's Commentaries, vol. iv. p. 352.

"had

" had avoided the *uſual* terms of *making*, *enacting*, *de-*
" *creeing*, *and ordaining laws*: Which imply," ſays the lord-keeper, " a moſt abſolute authority." Penry, for theſe offences, was condemned and executed.

Thus we have ſeen, that the *moſt abſolute* authority of the ſovereign, to make uſe of the lord-keeper's expreſſion, was eſtabliſhed on above twenty branches of prerogative, which are now aboliſhed, and which were, every one of them, totally incompatible with the liberty of the ſubject. But what enſured more effectually the ſlavery of the people, than even theſe branches of prerogative, was the eſtabliſhed principles of the times, which attributed to the prince ſuch an unlimited and indefeizable power as was ſuppoſed to be the origin of all law, and could be circumſcribed by none. The homilies publiſhed for the uſe of the clergy, and which they were enjoined to read every Sunday in all the churches, inculcate every-where a blind and unlimited paſſive obedience to the prince, which, on no account, and under no pretence, it is ever lawful for ſubjects in the ſmalleſt article to depart from or infringe. Much noiſe has been made becauſe ſome court chaplains during the ſucceeding reigns were permitted to preach ſuch doctrines; but there is a great difference between theſe ſermons and diſcourſes publiſhed by authority, avowed by the prince and council, and promulgated to the whole nation *. So thoroughly were theſe principles imbibed by the people, during the reigns of Elizabeth and her predeceſſors, that oppoſition to them was regarded as the moſt flagrant ſedition, and was not even rewarded by that public praiſe and approbation which can alone ſupport men under ſuch dangers and difficulties as attend the reſiſtance of tyrannical authority †. It was

* Gifford, a clergyman, was ſuſpended in the year 1584, for preaching up a limited obedience to the civil magiſtrate.

† It is remarkable, that in all the hiſtorical plays of Shakeſpear, where the manners and characters, and even the tranſactions of the ſeveral reigns are ſo exactly copied, there is ſcarcely any mention of *civil Liberty*, which ſome pretended hiſtorians have imagined to be the object of all the ancient

was only during the next generation that the noble principles of liberty took root, and ſpreading themſelves under the ſhelter of puritanical abſurdities, became faſhionable among the people.

It is worth remarking, that the advantage uſually aſcribed to abſolute monarchy, a greater regularity of police, and a more ſtrict execution of the laws, did not attend the former Engliſh government, though in many reſpects it fell under that denomination. A demonſtration of this truth is contained in a judicious paper which is preſerved by Strype, and which was written by an eminent juſtice of peace of Somerſetſhire, in the year 1596, near the end of the queen's reign; when the authority of that princeſs may be ſuppoſed to be fully corroborated by time, and her maxims of government improved by long practice. This paper contains an account of the diſorders which then prevailed in the county of Somerſet. The author ſays, that forty perſons had there been executed in a year for robberies, thefts, and other felonies; thirty-five burnt in the hand, thirty-ſeven whipped, one hundred and eighty-three diſcharged: That thoſe who were diſcharged were moſt wicked and deſperate perſons, who never could come to any good, becauſe they would not work, and none would take them into ſervice: That, notwithſtanding this great number of indictments, the fifth part of the felonies committed in the county were not brought to a trial; the greater number eſcaped cenſure, either from the ſuperior cunning of the felons, the remiſſneſs of the magiſtrates, or the fooliſh lenity of the people: That the rapines committed by the infinite number of wicked, wandering, idle people, were intolerable to the poor countrymen,

cient quarrels, inſurrections, and civil wars. In the elaborate panegyric of England, contained in the tragedy of Richard II. and the detail of its advantages, not a word of its civil conſtitution, as anywiſe different from, or ſuperior to, that of other European kingdoms: An omiſſion which cannot be ſuppoſed in any Engliſh author that wrote ſince the Reſtoration, at leaſt ſince the Revolution.

and

and obliged them to keep a perpetual watch over the ſheep-folds, their paſtures, their woods, and their corn-fields: That the other counties of England were in no better condition than Somerſetſhire; and many of them were even in a worſe: That there were at leaſt three or four hundred able-bodied vagabonds in every county who lived by theft and rapine; and who ſometimes met in troops to the number of ſixty, and committed ſpoil on the inhabitants: That if all the felons of this kind were aſſembled, they would be able, if reduced to good ſubjection, to give the greateſt enemy her majeſty has a *ſtrong battle*: And that the magiſtrates themſelves were intimidated from executing the laws upon them; and there were inſtances of juſtices of peace who, after giving ſentence againſt rogues, had interpoſed to ſtop the execution of their own ſentence, on account of the danger which hung over them from the confederates of theſe felons.

In the year 1575, the queen complained in parliament of the bad execution of the laws; and threatened, that if the magiſtrates were not for the future more vigilant, ſhe would entruſt authority to indigent and needy perſons, who would find an intereſt in a more exact adminiſtration of juſtice. It appears that ſhe was as good as her word. For in the year 1601, there were great complaints made in parliament of the rapine of juſtices of peace: and a member ſaid, that this magiſtrate was an animal who for half a dozen of chickens would diſpenſe with a dozen of penal ſtatutes. It is not eaſy to account for this relaxation of government and neglect of police during a reign of ſo much vigour as that of Elizabeth. The ſmall revenue of the crown is the moſt likely cauſe that can be aſſigned. The queen had it not in her power to intereſt a great number in aſſiſting her to execute the laws *.

On the whole, the Engliſh have no reaſon, from the example of their anceſtors, to be in love with the picture of abſolute monarchy; or to prefer the unlimited autho-

* See note [C] at the end of the volume.

rity

rity of the prince and his unbounded prerogatives to that noble liberty, that ſweet equality, and that happy ſecurity, by which they are at preſent diſtinguiſhed above all nations in the univerſe. The utmoſt that can be ſaid in favour of the government of that age (and perhaps it may be ſaid with truth) is, that the power of the prince, though really unlimited, was exerciſed after the European manner, and entered not into every part of the adminiſtration; that the inſtances of a high exerted prerogative were not ſo frequent as to render property ſenſibly inſecure, or reduce the people to a total ſervitude; that the freedom from faction, the quickneſs of execution, and the promptitude of thoſe meaſures, which could be taken for offence or defence, made ſome compenſation for the want of a legal and determinate liberty; that as the prince commanded no mercenary army, there was a tacit check on him, which maintained the government in that medium to which the people had been accuſtomed; and that this ſituation of England, though ſeemingly it approached nearer, was in reality more remote from a deſpotic and eaſtern monarchy than the preſent government of that kingdom, where the people, though guarded by multiplied laws, are totally naked, defenceleſs, and diſarmed; and beſides, are not ſecured by any middle power, or independent powerful nobility, interpoſed between them and the monarch.

We ſhall cloſe the preſent Appendix with a brief account of the revenues, the military force, the commerce, the arts, and the learning of England during this period.

Queen Elizabeth's economy was remarkable; and in ſome inſtances ſeemed to border on avarice. The ſmalleſt expenſe, if it could poſſibly be ſpared, appeared conſiderable in her eyes; and even the charge of an expreſs during the moſt delicate tranſactions was not below her notice. She was alſo attentive to every profit, and embraced opportunities of gain which may appear ſomewhat extraordinary. She kept, for inſtance, the ſee of Ely vacant nineteen years, in order to retain the revenue; and it was uſual with her, when ſhe promoted a biſhop,

to

to take the opportunity of pillaging the ſee of ſome of its manors *. But that in reality there was little or no avarice in the queen's temper, appears from this circumſtance, that ſhe never amaſſed any treaſure; and even refuſed ſubſidies from the parliament when ſhe had no preſent occaſion for them. Yet we muſt not conclude, from this circumſtance, that her economy proceeded from a tender concern for her people: She loaded them with monopolies and excluſive patents, which are much more oppreſſive than the moſt heavy taxes levied in an equal and regular manner. The real ſource of her frugal conduct was derived from her deſire of independency, and her care to preſerve her dignity, which would have been endangered had ſhe reduced herſelf to the neceſſity of having frequent recourſe to parliamentary ſupplies. In conſequence of this motive, the queen, though engaged in ſucceſsful and neceſſary wars, thought it more prudent to make a continual dilapidation of the royal demeſnes, than demand the moſt moderate ſupplies from the commons. As ſhe lived unmarried, and had no poſterity, ſhe was content to ſerve her preſent turn, though at the expenſe of her ſucceſſors; who, by reaſon of this policy, joined to other circumſtances, found themſelves on a ſudden reduced to the moſt extreme indigence.

The ſplendour of a court was, during this age, a great part of the public charge; and as Elizabeth was a ſingle woman, and expenſive in no kind of magnificence, except clothes, this circumſtance enabled her to perform

* There is a curious letter of the queen's, written to a biſhop of Ely, and preſerved in the regiſter of that ſee. It is in theſe words: *Proud prelate, I underſtand you are backward in complying with your agreement: But I would have you know, that I who made you what you are can unmake you; and if you do not forthwith fulfil your engagement, by God I will immediately unfrock you. Yours, as you demean yourſelf,* ELIZABETH. The biſhop, it ſeems, had promiſed to exchange ſome part of the land belonging to the ſee for a pre ended equivalent, and did ſo, but it was in conſequence of the above letter.

great things by her narrow revenue. She is ſaid to have paid four millions of debt, left on the crown by her father, brother, and ſiſter; an incredible ſum for that age *. The States, at the time of her death, owed her about eight hundred thouſand pounds: And the king of France four hundred and fifty thouſand. Though that prince was extremely frugal, and after the peace of Vervins was continually amaſſing treaſure, the queen never could, by the moſt preſſing importunities, prevail on him to make payment of thoſe ſums which ſhe had ſo generouſly advanced him during his greateſt diſtreſſes. One payment of twenty thouſand crowns, and another of fifty thouſand, were all ſhe could obtain by the ſtrongeſt repreſentations ſhe could make of the difficulties to which the rebellion in Ireland had reduced her. The queen expended on the wars with Spain, between the years 1589 and 1593, the ſum of one million three hundred thouſand pounds, beſides the pittance of a double ſubſidy, amounting to two hundred and eighty thouſand pounds, granted her by parliament. In the year 1599 ſhe ſpent ſix hundred thouſand pounds in ſix months on the ſervice of Ireland. Sir Robert Cecil affirmed, that in ten years Ireland coſt her three millions four hundred thouſand pounds. She gave the earl of Eſſex a preſent of thirty thouſand pounds upon his departure for the government of that kingdom. Lord Burleigh computed, that the value of the gifts conferred on that favourite, amounted to three hundred thouſand pounds; a ſum which, though probably exaggerated, is a proof of her ſtrong affection towards him! It was a common ſaying during this reign; *The queen pays bountifully, though ſhe rewards ſparingly.*

It is difficult to compute exactly the queen's ordinary revenue, but it certainly fell much ſhort of five hundred

* D'Ewes, p. 473. I think it impoſſible to reconcile this account of the public debts with that given by Strype, Eccleſ. Mem. vol. ii. p. 344. that in the year 1553, the crown owed but 300,000 pounds. I own that this laſt ſum appears a great deal more likely. The whole revenue of queen Elizabeth would not in ten years have paid four millions.

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thouſand pounds a year *. In the year 1590 ſhe raiſed the cuſtoms from fourteen thouſand pounds a-year to fifty thouſand, and obliged ſir Thomas Smith, who had farmed them, to refund ſome of his former profit †. This improvement of the revenue was owing to the ſuggeſtions of one Caermarthen; and was oppoſed by Burleigh, Leiceſter, and Walſingham: But the queen's perſeverance overcame all their oppoſition. The great undertakings which ſhe executed with ſo narrow a revenue, and with ſuch ſmall ſupplies from her people, prove the mighty effects of wiſdom and economy. She received from the parliament, during the courſe of her whole reign, only twenty ſubſidies and thirty-nine fifteenths. I pretend not to determine exactly the amount of theſe ſupplies; becauſe the value of a ſubſidy was continually falling; and in the end of her reign it amounted only to eighty thouſand pounds. If we ſuppoſe that the ſupplies granted Elizabeth during a reign of forty-five years amounted to three millions, we ſhall not probably be much wide of the truth ‡. This ſum makes only ſixty-ſix thouſand ſix hundred and ſixty-ſix pounds a-year; and it is ſurpriſing, that while the queen's demands were ſo moderate, and her expenſes ſo well regulated, ſhe ſhould ever have found any difficulty in obtaining a ſupply from parliament, or be reduced to make ſale of the crown-lands. But ſuch was the extreme, I had almoſt ſaid abſurd, parſimony of the parliaments during that period. They valued nothing in compariſon of their money. The members had no connexion with the court; and the

* Franklyn, in his Annals, p. 9. ſays, that the profit of the kingdom, beſides wards and the dutchy of Lancaſter (*which amounted to about* 120,000 *pounds*), was 188,197 pounds: The crown lands ſeem to be comprehended in this computation.

† Camden, p. 558. This account of Camden is difficult or impoſſible to be reconciled to the ſtate of the cuſtoms in the beginning of the ſubſequent reign as they appear in the journals of the Commons.

‡ See note [D] at the end of the volume.

very idea which they conceived of the truſt committed to them was, to reduce the demands of the crown, and to grant as few ſupplies as poſſible. The crown, on the other hand, conceived the parliament in no other light than as a means of ſupply. Queen Elizabeth made a merit to her people of ſeldom ſummoning parliaments. No redreſs of grievances was expected from theſe aſſemblies: They were ſuppoſed to meet for no other purpoſe than to impoſe taxes.

Before the reign of Elizabeth, the Engliſh princes had uſually recourſe to the city of Antwerp for voluntary loans; and their credit was ſo low, that beſides paying the high intereſt of ten or twelve per cent. they were obliged to make the city of London join in the ſecurity. Sir Thomas Greſham, that great and enterpriſing merchant, one of the chief ornaments of this reign, engaged the company of merchant-adventurers to grant a loan to the queen; and as the money was regularly repaid, her credit by degrees eſtabliſhed itſelf in the city, and ſhe ſhook off this dependance on foreigners.

In the year 1559, however, the queen employed Greſham to borrow for her two hundred thouſand pounds at Antwerp, in order to enable her to reform the coin, which was at that time extremely debaſed. She was ſo impolitic as to make, herſelf, an innovation in the coin; by dividing a pound of ſilver into ſixty-two ſhillings, inſtead of ſixty, the former ſtandard. This is the laſt time that the coin has been tampered with in England.

Queen Elizabeth, ſenſible how much the defence of her kingdom depended on its naval power, was deſirous to encourage commerce and navigation: But as her monopolies tended to extinguiſh all domeſtic induſtry, which is much more valuable than foreign trade, and is the foundation of it, the general train of her conduct was ill calculated to ſerve the purpoſe at which ſhe aimed, much leſs to promote the riches of her people. The excluſive companies alſo were an immediate check on foreign trade. Yet notwithſtanding theſe diſcouragements, the ſpirit of the age was ſtrongly bent on naval enterpriſes; and beſides the military expeditions againſt the Spaniards,

many

many attempts were made for new diſcoveries, and many new branches of foreign commerce were opened by the Engliſh. Sir Martin Frobiſher undertook three fruitleſs voyages to diſcover the north-weſt paſſage: Davis, not diſcouraged by this ill ſucceſs, made a new attempt, when he diſcovered the ſtraits which paſs by his name. In the year 1600, the queen granted the firſt patent to the Eaſt-India company: The ſtock of that company was ſeventy-two thouſand pounds; and they fitted out four ſhips under the command of James Lancaſter, for this new branch of trade. The adventure was ſucceſsful; and the ſhips returning with a rich cargo, encouraged the company to continue the commerce.

The communication with Muſcovy had been opened in queen Mary's time by the diſcovery of the paſſage to Archangel: But the commerce to that country did not begin to be carried on to a great extent till about the year 1569. The queen obtained from the czar an excluſive patent to the Engliſh for the whole trade of Muſcovy; and ſhe entered into a perſonal as well as national alliance with him. This czar was named John Baſilides, a furious tyrant, who, continually ſuſpecting the revolt of his ſubjects, ſtipulated to have a ſafe retreat and protection in England. In order the better to enſure this reſource, he purpoſed to marry an Engliſh woman; and the queen intended to have ſent him lady Anne Haſtings, daughter of the earl of Huntingdon: But when the lady was informed of the barbarous manners of the country, ſhe wiſely declined purchaſing an empire at the expenſe of her eaſe and ſafety.

The Engliſh, encouraged by the privileges which they had obtained from Baſilides, ventured farther into thoſe countries than any Europeans had formerly done. They tranſported their goods along the river Dwina in boats made of one entire tree, which they towed and rowed up the ſtream as far as Walogda. Thence they carried their commodities ſeven days journey by land to Yeraſlau, and then down the Volga to Aſtracan. At Aſtracan they built ſhips, croſſed the Caſpian Sea, and diſtributed their manufactures into Perſia. But this bold attempt met

with ſuch diſcouragements, that it was never renewed.

After the death of John Baſilides, his ſon Theodore revoked the patent which the Engliſh enjoyed for a monopoly of the Ruſſian trade: When the queen remonſtrated againſt this innovation, he told her miniſters, that princes muſt carry an indifferent hand, as well between their ſubjects as between foreigners; and not convert trade, which by the laws of nations ought to be common to all, into a monopoly for the private gain of a few. So much juſter notions of commerce were entertained by this barbarian than appear in the conduct of the renowned queen Elizabeth! Theodore, however, continued ſome privileges to the Engliſh, on account of their being the diſcoverers of the communication between Europe and his country.

The trade to Turkey commenced about the year 1583; and that commerce was immediately confined to a company by queen Elizabeth. Before that time, the grand ſignior had always conceived England to be a dependant province of France; but having heard of the queen's power and reputation, he gave a good reception to the Engliſh, and even granted them larger privileges than he had given to the French.

The merchants of the Hanſe-towns complained loudly, in the beginning of Elizabeth's reign, of the treatment which they had received in the reigns of Edward and Mary. She prudently replied, that as ſhe would not innovate any thing, ſhe would ſtill protect them in the immunities and privileges of which ſhe found them poſſeſſed. This anſwer not contenting them, their commerce was ſoon after ſuſpended for a time, to the great advantage of the Engliſh merchants, who tried what they could themſelves effect for promoting their commerce. They took the whole trade into their own hands; and their returns proving ſucceſsful, they divided themſelves into ſtaplers and merchant adventurers; the former reſiding conſtantly at one place, the latter trying their fortunes in other towns and ſtates abroad with cloth and other manufactures. This ſucceſs ſo enraged the Hanſe-towns, that they tried all the methods which

which a diſcontented people could deviſe, to draw upon the Engliſh merchants the ill opinion of other nations and ſtates. They prevailed ſo far as to obtain an imperial edict, by which the Engliſh were prohibited all commerce in the empire: The queen, by way of retaliation, retained ſixty of their ſhips, which had been ſeized in the river Tagus with contraband goods of the Spaniards. Theſe ſhips the queen intended to have reſtored, as deſiring to have compromiſed all differences with thoſe trading cities; but when ſhe was informed that a general aſſembly was held at Lubec, in order to concert meaſures for diſtreſſing the Engliſh trade, ſhe cauſed the ſhips and cargoes to be confiſcated: Only two of them were releaſed to carry home the news, and to inform theſe ſtates that ſhe had the greateſt contempt imaginable for all their proceedings.

Henry VIII. in order to fit out a navy, was obliged to hire ſhips from Hamburgh, Lubec, Dantzic, Genoa, and Venice: But Elizabeth, very early in her reign, put affairs upon a better footing; both by building ſome ſhips of her own, and by encouraging the merchants to build large trading veſſels, which on occaſion were converted into ſhips of war. In the year 1582, the ſeamen in England were found to be fourteen thouſand two hundred and ninety-five men; the number of veſſels twelve hundred and thirty-two; of which there were only two hundred and ſeventeen above eighty tons. Monſon pretends, that though navigation decayed in the firſt years of James I. by the practice of the merchants, who carried on their trade in foreign bottoms, yet before the year 1640 this number of ſeamen was tripled in England.

The navy which the queen left at her deceaſe appears conſiderable, when we reflect only on the number of veſſels, which were forty-two: But when we conſider that none of theſe ſhips carried above forty guns; that four only came up to that number; that there were but two ſhips of a thouſand tons; and twenty-three below five hundred, ſome of fifty, and ſome even of twenty tons; and that the whole number of guns belonging to the fleet was ſeven hundred and ſeventy-four; we muſt entertain

entertain a contemptible idea of the Engliſh navy, compared to the force which it has now attained *. In the year 1588, there were not above five veſſels fitted out by the noblemen and ſea-ports which exceeded two hundred tons.

In the year 1599, an alarm was given of an invaſion by the Spaniards; and the queen equipped a fleet and levied an army in a fortnight to oppoſe them. Nothing gave foreigners a higher idea of the power of England than this ſudden armament. In the year 1575, all the militia in the kingdom were computed at a hundred and eighty-two thouſand nine hundred and twenty-nine. A diſtribution was made in the year 1595 of a hundred and forty thouſand men, beſides thoſe which Wales could ſupply. Theſe armies were formidable by their numbers; but their diſcipline and experience were not proportionate. Small bodies from Dunkirk and Newport frequently ran over and plundered the eaſt coaſt: So unfit was the militia, as it was then conſtituted, for the defence of the kingdom. The lord lieutenants were firſt appointed to the counties in this reign.

Mr. Murden has publiſhed from the Saliſbury collections a paper which contains the military force of the nation at the time of the Spaniſh Armada, and which is ſomewhat different from the account given by our ordinary hiſtorians. It makes all the able-bodied men of the kingdom amount to a hundred and eleven thouſand five hundred and thirteen; thoſe armed, to eighty thouſand eight hundred and ſeventy-five; of whom forty-four thouſand ſeven hundred and twenty-ſeven were trained. It muſt be ſuppoſed that theſe able-bodied men conſiſted of ſuch only as were regiſtered, otherwiſe the ſmall number is not to be accounted for. Yet ſir Edward Coke ſaid in the houſe of commons, that he was employed about the ſame time, together with Popham, chief juſtice, to take a ſurvey of all the people of England, and that they found them to be 900,000 of all ſorts. This number, by the ordinary rules of compu-

* See note [E] at the end of the volume.

tation,

tation, ſuppoſes that there were above 200,000 men able to bear arms. Yet even this number is ſurpriſingly ſmall. Can we ſuppoſe that the kingdom is ſix or ſeven times more populous at preſent? And that Murden's was the real number of men, excluding catholics and children and infirm perſons?

Harriſon ſays, that in the muſters taken in the years 1574 and 1575, the men fit for ſervice amounted to 1,172,674; yet was it believed that a full third was omitted. Such uncertainty and contradiction are there in all theſe accounts. Notwithſtanding the greatneſs of this number, the ſame author complains much of the decay of populouſneſs: A vulgar complaint in all places and all ages. Guicciardini makes the inhabitants of England in this reign amount to two millions.

Whatever opinion we may form of the comparative populouſneſs of England in different periods, it muſt be allowed that, abſtracting from the national debt, there is a prodigious increaſe of power in that, more perhaps than in any other European ſtate ſince the beginning of the laſt century. It would be no paradox to affirm, that Ireland alone could at preſent exert a greater force than all the three kingdoms were capable of at the death of queen Elizabeth. And we might go farther, and aſſert, that one good county in England is able to make, at leaſt to ſupport, a greater effort than the whole kingdom was capable of in the reign of Harry V.; when the maintenance of a garriſon in a ſmall town like Calais formed more than a third of the ordinary national expenſe. Such are the effects of liberty, induſtry, and good government!

The ſtate of the Engliſh manufactures was at this time very low; and foreign wares of almoſt all kinds had the preference. About the year 1590, there were in London four perſons only rated in the ſubſidy-books ſo high as four hundred pounds. This computation is not indeed to be deemed an exact eſtimate of their wealth. In 1567 there were found, on inquiry, to be four thouſand eight hundred and fifty-one ſtrangers of all nations in London: Of whom three thouſand eight hundred and thirty-

thirty-eight were Flemings, and only fifty-eight Scots. The perſecutions in France and the Low Countries drove afterwards a greater number of foreigners into England; and the commerce as well as manufactures of that kingdom was very much improved by them. It was then that ſir Thomas Greſham built, at his own charge, the magnificent fabric of the Exchange for the reception of the merchants: The queen viſited it, and gave it the appellation of the Royal Exchange.

By a lucky accident in language, which has a great effect on men's ideas, the invidious word uſury, which formerly meant the taking of any intereſt for money, came now to expreſs only the taking of exorbitant and illegal intereſt. An act paſſed in 1571 violently condemns all uſury; but permits ten per cent. intereſt to be payed. Henry IV. of France reduced intereſt to 6½ per cent.: An indication of the great advance of France above England in commerce.

Dr. Howel ſays, that queen Elizabeth in the third of her reign was preſented with a pair of black ſilk knit ſtockings by her ſilkwoman, and never wore cloth hoſe any more. The author of The preſent State of England ſays, that about 1577, pocket watches were firſt brought into England from Germany. They are thought to have been invented at Nuremberg. About 1580, the uſe of coaches was introduced by the earl of Arundel. Before that time, the queen, on public occaſions, rode behind her chamberlain.

Camden ſays, that in 1581 Randolph, ſo much employed by the queen in foreign embaſſies, poſſeſſed the office of poſt-maſter-general of England. It appears, therefore, that poſts were then eſtabliſhed; though, from Charles I.'s regulations in 1635, it would ſeem that few poſt-houſes were erected before that time.

In a remonſtrance of the Hanſe-towns to the diet of the empire in 1582, it is affirmed that England exported annually about 200,000 pieces of cloth. This number ſeems to be much exaggerated.

In the fifth of this reign was enacted the firſt law for the relief of the poor.

A judi-

A judicious author of that age confirms the vulgar obſervation, that the kingdom was depopulating from the increaſe of incloſures and decay of tillage; and he aſcribes the reaſon very juſtly to the reſtraints put on the exportation of corn; while full liberty was allowed to export all the produce of paſturage, ſuch as wool, hides, leather, tallow, &c. Theſe prohibitions of exportation were derived from the prerogative, and were very injudicious. The queen, once, on the commencement of her reign, had tried a contrary practice, and with good ſucceſs. From the ſame author we learn, that the complaints renewed in our time, were then very common, concerning the high prices of every thing*. There ſeem, indeed, to have been two periods in which prices roſe remarkably in England, namely, that in queen Elizabeth's reign, when they are computed to have doubled, and that in the preſent age. Between the two, there ſeems to have been a ſtagnation. It would appear that induſtry, during that intermediate period, increaſed as faſt as gold and ſilver, and kept commodities nearly at a par with money.

There were two attempts made in this reign to ſettle colonies in America; one by ſir Humphrey Gilbert in Newfoundland, another by ſir Walter Raleigh in Virginia: But neither of theſe projects proved ſucceſsful. All thoſe noble ſettlements were made in the following reigns. The current ſpecie of the kingdom in the end of this reign is computed at four millions.

* A compendious or brief Examination of certain ordinary Complaints of divers of our Countrymen. The author ſays, that in 20 or 30 years before 1581, commodities had in general riſen 50 per cent.; ſome more. Cannot you, neighbour, remember, ſays he, that within theſe 30 years, I could in this town buy the beſt pig or gooſe I could lay my hands on for four-pence, which now coſteth twelve-pence, a good capon for three-pence, or four-pence, a chicken for a penny, a hen for two pence? p. 35. Yet the price of ordinary labour was then eight-pence a day, p. 31.

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The earl of Leiceſter deſired ſir Francis Walſingham, then ambaſſador in France, to provide him with a riding maſter in that country, to whom he promiſes a hundred pounds a-year, beſides maintaining himſelf and ſervant and a couple of horſes. "I know," adds the earl, "that ſuch a man as I want may receive higher wages in "France: But let him conſider, that a ſhilling in Eng-"land goes as far as two ſhillings in France." It is known that every thing is much changed ſince that time.

The nobility in this age ſtill ſupported, in ſome degree, the ancient magnificence in their hoſpitality, and in the numbers of their retainers; and the queen found it prudent to retrench, by proclamation, their expenſes in this laſt particular. The expenſe of hoſpitality ſhe ſomewhat encouraged by the frequent viſits ſhe paid her nobility, and the ſumptuous feaſts which ſhe received from them *. The earl of Leiceſter gave her an entertainment in Kenilworth caſtle, which was extraordinary for expenſe and magnificence. Among other particulars, we are told, that three hundred and ſixty-five hogſheads of beer were drunk at it. The earl had fortified this caſtle

* Harriſon, after enumerating the queen's palaces, adds: "But what ſhall I need to take upon me to repeat all, and "tell what houſes the queen's majeſty hath? Sith all is "hers; and when it pleaſeth her in the ſummer ſeaſon "to recreate herſelf abroad, and view the eſtate of the "country, and hear the complaints of her poor commons "injured by her unjuſt officers or their ſubſtitutes, every "nobleman's houſe is her palace, where ſhe continueth "during pleaſure, and till ſhe return again to ſome of her "own, in which ſhe remaineth ſo long as ſhe pleaſeth." Book ii. chap. xv. Surely one may ſay of ſuch a gueſt what Cicero ſays to Atticus on occaſion of a viſit paid him by Cæſar: Hoſpes tamen non is cui diceres, amabo te, eòdem ad me cum revertêre. Lib. xiii. Ep. 52. If ſhe relieved the people from oppreſſions (to whom it ſeems the law could give no relief), her viſits were a great oppreſſion on the nobility.

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at great expenſe; and it contained arms for ten thouſand men. The earl of Derby had a family conſiſting of two hundred and forty ſervants. Stowe remarks it as a ſingular proof of beneficence in this nobleman, that he was contented with his rent from his tenants, and exacted not any extraordinary ſervices from them: A proof that the great power of the ſovereign (what was almoſt unavoidable) had very generally countenanced the nobility in tyranniſing over the people. Burleigh, though he was frugal, and had no paternal eſtate, kept a family conſiſting of a hundred ſervants. He had a ſtanding table for gentlemen, and two other tables for perſons of meaner condition, which were always ſerved alike, whether he were in town or in the country. About his perſon he had people of great diſtinction, inſomuch that he could reckon up twenty gentlemen retainers, who had each a thouſand pounds a-year; and as many among his ordinary ſervants, who were worth from a thouſand pounds to three, five, ten, and twenty thouſand pounds. It is to be remarked, that though the revenues of the crown were at that time very ſmall, the miniſters and courtiers ſometimes found means, by employing the boundleſs prerogative, to acquire greater fortunes than it is poſſible for them at preſent to amaſs, from their larger ſalaries, and more limited authority.

Burleigh entertained the queen twelve ſeveral times in his country-houſe; where ſhe remained three, four, or five weeks at a time. Each viſit coſt him two or three thouſand pounds. The quantity of ſilver plate poſſeſſed by this nobleman is ſurpriſing: No leſs than fourteen or fifteen thouſand pounds weight *; which beſides the faſhion would be above forty-two thouſand pounds ſterling in value. Yet Burleigh left only 4000 pounds a-year in land, and 11,000 pounds in money; and as land was then commonly ſold at ten years purchaſe, his plate was nearly equal to all the reſt of his fortune. It appears that little value was then put upon the faſhion of

* See note [F] at the end of the volume.

the plate, which probably was but rude: The weight was chiefly conſidered *.

But, though there were preſerved great remains of the ancient cuſtoms, the nobility were by degrees acquiring a taſte for elegant luxury; and many edifices in particular were built by them, neat, large, and ſumptuous, to the great ornament of the kingdom, ſays Camden; but to the no leſs decay of the glorious hoſpitality of the nation. It is, however, more reaſonable to think, that this new turn of expenſe promoted arts and induſtry; while the ancient hoſpitality was the ſource of vice, diſorder, ſedition, and idleneſs †.

Among the other ſpecies of luxury, that of apparel began much to increaſe during this age; and the queen thought proper to reſtrain it by proclamation. Her example was very little conformable to her edicts. As no woman was ever more conceited of her beauty, or more deſirous of making impreſſion on the hearts of beholders, no one ever went to a greater extravagance in apparel, or ſtudied more the variety and richneſs of her dreſſes. She appeared almoſt every day in a different habit; and tried all the ſeveral modes by which ſhe hoped to render herſelf agreeable. She was alſo ſo fond of her clothes, that ſhe never could part with any of them; and at her death ſhe had in her wardrobe all the different habits, to the number of three thouſand, which ſhe had ever worn in her lifetime.

The retrenchment of the ancient hoſpitality, and the diminution of retainers, were favourable to the prerogative of the ſovereign; and by diſabling the great noblemen from reſiſtance, promoted the execution of the laws, and extended the authority of the courts of juſtice. There were many peculiar cauſes in the ſituation and character of Henry VII. which augmented the authority

* This appears from Burleigh's will: He ſpecifies only the number of ounces to be given to each legatee, and appoints a goldſmith to ſee it weighed out to them, without making any diſtinction of the pieces.

† See note [G] at the end of the volume.

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of the crown: Moſt of theſe cauſes concurred in ſucceeding princes; together with the factions in religion, and the acquiſition of the ſupremacy, a moſt important article of prerogative: But the manners of the age were a general cauſe which operated during this whole period, and which continually tended to diminiſh the riches, and ſtill more the influence, of the ariſtocracy, anciently ſo formidable to the crown. The habits of luxury diſſipated the immenſe fortunes of the ancient barons; and as the new methods of expenſe gave ſubſiſtence to mechanics and merchants, who lived in an independent manner on the fruits of their own induſtry, a nobleman, inſtead of that unlimited aſcendant which he was wont to aſſume over thoſe who were maintained at his board, or ſubſiſted by ſalaries conferred on them, retained only that moderate influence which cuſtomers have over tradeſmen, and which can never be dangerous to civil government. The landed proprietors alſo, having a greater demand for money than for men, endeavoured to turn their lands to the beſt account with regard to profit; and either incloſing their fields, or joining many ſmall farms into a few large ones, diſmiſſed thoſe uſeleſs hands which formerly were always at their call in every attempt to ſubvert the government, or oppoſe a neighbouring baron. By all theſe means the cities increaſed; the middle rank of men began to be rich and powerful; the prince, who in effect was the ſame with the law, was implicitly obeyed; and though the farther progreſs of the ſame cauſes begat a new plan of liberty, founded on the privileges of the commons, yet in the interval between the fall of the nobles and the riſe of this order, the ſovereign took advantage of the preſent ſituation, and aſſumed an authority almoſt abſolute.

Whatever may be commonly imagined, from the authority of lord Bacon, and from that of Harrington, and later authors, the laws of Henry VII. contributed very little towards the great revolution which happened about this period in the Engliſh conſtitution. The practice of breaking entails by a fine and recovery had been introduced in the preceding reigns; and this prince

only gave indirectly a legal ſanction to the practice, by reforming ſome abuſes which attended it. But the ſettled authority which he acquired to the crown, enabled the ſovereign to encroach on the ſeparate juriſdictions of the barons, and produced a more general and regular execution of the laws. The counties palatine underwent the ſame fate as the feudal powers; and, by a ſtatute of Henry VIII. the juriſdiction of theſe counties was annexed to the crown, and all writs were ordained to run in the king's name. But the change of manners was the chief cauſe of the ſecret revolution of government, and ſubverted the power of the barons. There appear ſtill in this reign ſome remains of the ancient ſlavery of the boors and peaſants, but none afterwards.

Learning, on its revival, was held in high eſtimation by the Engliſh princes and nobles; and as it was not yet proſtituted by being too common, even the great deemed it an object of ambition to attain a character for literature. The four ſucceſſive ſovereigns, Henry, Edward, Mary, and Elizabeth, may on one account or other be admitted into the claſs of authors. Queen Catherine Parr tranſlated a book: Lady Jane Gray, conſidering her age, and her ſex, and her ſtation, may be regarded as a prodigy of literature. Sir Thomas Smith was raiſed from being profeſſor in Cambridge, firſt to be ambaſſador to France, then ſecretary of ſtate. The deſpatches of thoſe times, and among others thoſe of Burleigh himſelf, are frequently interlarded with quotations from the Greek and Latin claſſics. Even the ladies of the court valued themſelves on knowledge: Lady Burleigh, lady Bacon, and their two ſiſters, were miſtreſſes of the ancient as well as modern languages; and placed more pride in their erudition than in their rank and quality.

Queen Elizabeth wrote and tranſlated ſeveral books; and ſhe was familiarly acquainted with the Greek as well as Latin tongue *. It is pretended that ſhe made an extemporary reply in Greek to the univerſity of

* See note [H] at the end of the volume.

Cambridge,

Cambridge, who had addreſſed her in that language. It is certain, that ſhe anſwered in Latin without premeditation, and in a very ſpirited manner, to the Poliſh ambaſſador, who had been wanting in reſpect to her. When ſhe had finiſhed, ſhe turned about to her courtiers, and ſaid, "God's death, my lords" (for ſhe was much addicted to ſwearing), "I have been forced this "day to ſcour up my old Latin that hath long lain "ruſting." Elizabeth, even after ſhe was queen, did not entirely drop the ambition of appearing as an author; and, next to her deſire of ambition for beauty, this ſeems to have been the chief object of her vanity. She tranſlated Boethius of the Conſolation of Philoſophy; in order, as ſhe pretended, to allay her grief for Henry IV.'s change of religion. As far as we can judge from Elizabeth's compoſitions, we may pronounce, that, notwithſtanding her application and her excellent parts, her taſte in literature was but indifferent: She was much inferior to her ſucceſſor to this particular, who was himſelf no perfect model of eloquence.

Unhappily for literature, at leaſt for the learned of this age, the queen's vanity lay more in ſhining by her own learning, than in encouraging men of genius by her liberality. Spenſer himſelf, the fineſt Engliſh writer of his age, was long neglected; and after the death of ſir Philip Sydney, his patron, was allowed to die almoſt for want. This poet contains great beauties, a ſweet and harmonious verſification, eaſy elocution, a fine imagination: Yet does the peruſal of his work become ſo tedious, that one never finiſhes it from the mere pleaſure which it affords: It ſoon becomes a kind of taſk-reading; and it requires ſome effort and reſolution to carry us on to the end of his long performance. This effect, of which every one is conſcious, is uſually aſcribed to the change of manners: But manners have more changed ſince Homer's age; and yet that poet remains ſtill the favourite of every reader of taſte and judgment. Homer copied true natural manners, which, however rough or uncultivated, will always form an agreeable and intereſting picture: But the pencil of the

Engliſh poet was employed in drawing the affectations, and conceits, and fopperies of chivalry, which appear ridiculous as ſoon as they loſe the recommendation of the mode. The tedioufneſs of continued allegory, and that too ſeldom ſtriking or ingenious, has alſo contributed to render the *Fairy Queen* peculiarly tireſome; not to mention the too great frequency of its deſcriptions, and the languor of its ſtanza. Upon the whole, Spenſer maintains his place upon the ſhelves among our Engliſh claſſics: But he is ſeldom ſeen on the table; and there is ſcarcely any one, if he dares to be ingenuous, but will confeſs, that, notwithſtanding all the merit of the poet, he affords an entertainment with which the palate is ſoon ſatiated. Several writers of late have amuſed themſelves in copying the ſtyle of Spenſer; and no imitation has been ſo indifferent as not to bear a great reſemblance to the original: His manner is ſo peculiar, that it is almoſt impoſſible not to transfer ſome of it into the copy.

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MUSEUM

JAMES I.

Engraved for J. Parsons. 21, Paternoster Row. Dec.r 1793.

THE

Hiſtory of Great Britain.

CHAP. XLV.

JAMES I.

Introduction—James's firſt tranſactions—State of Europe — Roſni's negotiations — Raleigh's conſpiracy — Hampton court conference—A parliament—Peace with Spain.

(1603.) THE crown of England was never tranſmitted from father to ſon with greater tranquillity than it paſſed from the family of Tudor to that of Stuart. During the whole reign of Elizabeth, the eyes of men had been employed in ſearch of her ſucceſſor; and when old age made the proſpect of her death more immediate, there appeared none but the king of Scots, who could advance any juſt claim or pretenſion to the throne. He was great-grandſon of Margaret, elder daughter of Henry VII.; and, on the failure of the male-line, his hereditary right remained unqueſtionable. If the religion of Mary queen of Scots, and the other prejudices contracted againſt her, had formed any conſiderable obſtacle to her ſucceſſion; theſe objections, being entirely perſonal, had no place with regard to her ſon. Men alſo conſidered, that though the title, derived from blood, had been frequently violated ſince the Norman conqueſt, ſuch licences had proceeded more from force or intrigue, than from any deliberate maxims of government. The lineal heir had ſtill in the end prevailed; and both his excluſion and reſtoration had been commonly

commonly attended with ſuch convulſions as were ſufficient to warn all prudent men not lightly to give way to ſuch irregularities. If the will of Henry VIII. authoriſed by act of parliament, had tacitly excluded the Scottiſh line; the tyranny and caprices of that monarch had been ſo ſignal, that a ſettlement of this nature, unſupported by any juſt reaſon, had no authority with the people. Queen Elizabeth too, with her dying breath, had recognized the undoubted title of her kinſman James; and the whole nation ſeemed to diſpoſe themſelves with joy and pleaſure for his reception. Though born and educated amidſt a foreign and hoſtile people, men hoped, from his character of moderation and wiſdom, that he would embrace the maxims of an Engliſh monarch; and the prudent foreſaw greater advantages reſulting from a union with Scotland, than diſadvantages from ſubmitting to a prince of that nation. The alacrity with which the Engliſh looked toward the ſucceſſor, had appeared ſo evident to Elizabeth, that, concurring with other cauſes, it affected her with the deepeſt melancholy; and that wiſe princeſs, whoſe penetration and experience had given her the greateſt inſight into human affairs, had not yet ſufficiently weighed the ingratitude of courtiers and levity of the people.

As victory abroad, and tranquillity at home, had attended this princeſs, ſhe left the nation in ſuch flouriſhing circumſtances, that her ſucceſſor poſſeſſed every advantage, except that of compariſon with her illuſtrious name, when he mounted the throne of England. The king's journey from Edinburgh to London immediately afforded to the inquiſitive ſome circumſtances of compariſon, which even the natural partiality in favour of their new ſovereign could not interpret to his advantage. As he paſſed along, all ranks of men flocked about him, from every quarter, allured by intereſt or curioſity. Great were the rejoicings, and loud and hearty the acclamations which reſounded from all ſides; and every one could remember how the affability and popular manners of their queen diſplayed themſelves amidſt ſuch concourſe and exultation of her ſubjects. But James, though ſociable and

and familiar with his friends and courtiers, hated the buſtle of a mixed multitude; and though far from diſliking flattery, yet was he ſtill fonder of tranquillity and eaſe. He iſſued therefore a proclamation, forbidding this reſort of people, on pretence of the ſcarcity of proviſions, and other inconveniences, which, he ſaid, would neceſſarily attend it.

He was not, however, inſenſible to the great flow of affection which appeared in his new ſubjects; and being himſelf of an affectionate temper, he ſeems to have been in haſte to make them ſome return of kindneſs and good offices. To this motive, probably, we are to aſcribe that profuſion of titles, which was obſerved in the beginning of his reign; when, in ſix weeks time after his entrance into the kingdom, he is computed to have beſtowed knighthood on no leſs than two hundred and thirty-ſeven perſons. If Elizabeth's frugality of honours, as well as of money, had formerly been repined at, it began now to be valued and eſteemed: And every one was ſenſible that the king, by his laviſh and premature conferring of favours, had failed of obliging the perſons on whom he beſtowed them. Titles of all kinds became ſo common, that they were ſcarcely marks of diſtinction; and being diſtributed, without choice or deliberation, to perſons unknown to the prince, were regarded more as the proofs of facility and good-nature, than of any determined friendſhip or eſteem.

A paſquinade was affixed to St. Paul's, in which an art was promiſed to be taught, very neceſſary to aſſiſt frail memories in retaining the names of the new nobility.

We may preſume, that the Engliſh would have thrown leſs blame on the king's facility in beſtowing favours, had theſe been confined entirely to their own nation, and had not been ſhared out, in too unequal proportions, to his old ſubjects. James, who, through his whole reign, was more guided by temper and inclination than by the rules of political prudence, had brought with him great numbers of his Scottiſh courtiers; whoſe impatience and importunity were apt, in many particulars, to impoſe on the

the eaſy nature of their maſter, and extort favours, of which, it is natural to imagine, his Engliſh ſubjects would loudly complain. The duke of Lenox, the earl of Marre, lord Hume, lord Kinloſs, ſir George Hume, ſecretary Elphinſtone, were immediately added to the Engliſh privy-council. Sir George Hume, whom he created earl of Dunbar, was his declared favourite as long as that nobleman lived, and was one of the wiſeſt and moſt virtuous, though the leaſt powerful, of all thoſe whom the king ever honoured with that diſtinction. Hay, ſome time after, was created viſcount Doncaſter, then earl of Carliſle, and got an immenſe fortune from the crown; all of which he ſpent in a ſplendid and courtly manner. Ramſay obtained the title of earl of Holderneſs; and many others, being raiſed on a ſudden to the higheſt elevation, increaſed, by their inſolence, that envy, which naturally attended them, as ſtrangers and ancient enemies.

It muſt however be owned, in juſtice to James, that he left almoſt all the chief offices in the hands of Elizabeth's miniſters, and truſted the conduct of political concerns, both foreign and domeſtic, to his Engliſh ſubjects. Among theſe, ſecretary Cecil, created ſucceſſively lord Effindon, viſcount Cranborne, and earl of Saliſbury, was always regarded as his prime miniſter and chief counſellor. Though the capacity and penetration of this miniſter were ſufficiently known, his favour with the king created ſurpriſe on the acceſſion of that monarch. The ſecret correſpondence into which he had entered with James, and which had ſenſibly contributed to the eaſy reception of that prince in England, laid the foundation of Cecil's credit; and while all his former aſſociates, ſir Walter Raleigh, lord Grey, lord Cobham, were diſcountenanced on account of their animoſity againſt Eſſex, as well as for other reaſons, this miniſter was continued in employment, and treated with the greateſt confidence and regard.

The capacity of James and his miniſters in negotiation was immediately put to trial, on the appearance of ambaſſadors from almoſt all the princes and ſtates of Europe,

rope, in order to congratulate him on his acceſſion, and to form with him new treaties and alliances. Beſide miniſters from Venice, Denmark, the Palatinate; Henry Frederic of Naſſau, aſſiſted by Barnevelt the penſionary of Holland, was ambaſſador from the ſtates of the United Provinces. Aremberg was ſent by archduke Albert; and Taxis was expected in a little time from Spain. But he who moſt excited the attention of the public, both on account of his own merit and that of his maſter, was the marquis of Roſni, afterwards duke of Sully, prime miniſter and favourite of Henry IV. of France.

When the dominions of the houſe of Auſtria devolved on Philip II. all Europe was ſtruck with terror, leſt the power of a family, which had been raiſed by fortune, ſhould now be carried to an immeaſurable height, by the wiſdom and conduct of this monarch. But never were apprehenſions found in the event to be more groundleſs. Slow without prudence, ambitious without enterpriſe, falſe without deceiving any body, and refined without any true judgment; ſuch was the character of Philip, and ſuch the character which, during his lifetime, and after his death, he impreſſed on the Spaniſh councils. Revolted or depopulated provinces, diſcontented or indolent inhabitants, were the ſpectacles which thoſe dominions, lying in every climate of the globe, preſented to Philip III. a weak prince, and to the duke of Lerma, a miniſter weak and odious. But though military diſcipline, which ſtill remained, was what alone gave ſome appearance of life and vigour to that languiſhing body; yet ſo great was the terror produced by former power and ambition, that the reduction of the houſe of Auſtria was the object of men's vows throughout all the ſtates of Chriſtendom. It was not perceived, that the French empire, now united in domeſtic peace, and governed by the moſt heroic and moſt amiable prince that adorns modern ſtory, was become, of itſelf, a ſufficient counterpoiſe to the Spaniſh greatneſs. Perhaps, that prince himſelf did not perceive it, when he propoſed, by his miniſter, a league with James, in conjunction with Venice, the United

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Provinces, and the northern crowns; in order to attack the Auſtrian dominions on every ſide, and depreſs the exorbitant power of that ambitious family. But the genius of the Engliſh monarch was not equal to ſuch vaſt enterpriſes. The love of peace was his ruling paſſion; and it was his peculiar felicity, that the conjunctures of the times rendered the ſame object which was agreeable to him, in the higheſt degree advantageous to his people.

The French ambaſſador, therefore, was obliged to depart from theſe extenſive views, and to concert with James the means of providing for the ſafety of the United Provinces: Nor was this object altogether without its difficulties. The king, before his acceſſion, had entertained ſcruples with regard to the revolt of the Low Countries; and being commonly open and ſincere, he had, on many occaſions, gone ſo far as to give to the Dutch the appellation of rebels: But having converſed more fully with Engliſh miniſters and courtiers, he found their attachment to that republic ſo ſtrong, and their opinion of common intereſt ſo eſtabliſhed, that he was obliged to ſacrifice to politics his ſenſe of juſtice; a quality which, even when erroneous, is reſpectable as well as rare in a monarch. He therefore agreed with Roſni to ſupport ſecretly the ſtates-general, in concert with the king of France; leſt their weakneſs and deſpair ſhould oblige them to ſubmit to their old maſter. The articles of the treaty were few and ſimple. It was ſtipulated, that the two kings ſhould allow the Dutch to levy force in their reſpective dominions; and ſhould underhand remit to that republic the ſum of one million four hundred thouſand livres a year for the pay of theſe forces: That the whole ſum ſhould be advanced by the king of France; but that the third of it ſhould be deducted from the debt due by him to queen Elizabeth. And if the Spaniard attacked either of the princes, they agreed to aſſiſt each other; Henry with a force of ten thouſand men, James with that of ſix. This treaty, one of the wiſeſt and moſt equitable concluded by James during the courſe of his

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reign, was more the work of the prince himſelf, than any of his miniſters.

Amidſt the great tranquillity, both foreign and domeſtic, with which the nation was bleſt, nothing could be more ſurpriſing than the diſcovery of a conſpiracy to ſubvert the government, and to fix on the throne Arabella Stuart, a near relation of the king's by the family of Lenox, and deſcended equally from Henry VII. Every thing remains ſtill myſterious in this conſpiracy; and hiſtory can give us no clue to unravel it. Watſon and Clarke, two catholic prieſts, were accuſed of the plot: Lord Grey, a puritan: Lord Cobham, a thoughtleſs man, of no fixed principle: And ſir Walter Raleigh, ſuſpected to be of that philoſophical ſect, who were then extremely rare in England, and who have ſince received the appellation of *free-thinkers*: Together with theſe, Mr. Broke, brother to lord Cobham, ſir Griffin Markham, Mr. Copeley, ſir Edward Parham. What cement could unite men of ſuch diſcordant principles in ſo dangerous a combination; what end they propoſed, or what means proportioned to an undertaking of this nature; has never yet been explained, and cannot eaſily be imagined. As Raleigh, Grey, and Cobham, were commonly believed, after the queen's death, to have oppoſed proclaiming the king, till conditions ſhould be made with him; they were upon that account extremely obnoxious to the court and miniſtry; and people were apt, at firſt, to ſuſpect, that the plot was merely the contrivance of ſecretary Cecil, to get rid of his old confederates, now become his moſt inveterate enemies. But the confeſſion, as well as trial of the criminals, put the matter beyond doubt. And though no one could find any marks of a concerted enterpriſe, it appeared that men of furious and ambitious ſpirits, meeting frequently together, and believing all the world diſcontented like themſelves, had entertained very criminal projects, and had even entered, ſome of them at leaſt, into a correſpondence with Aremberg, the Flemiſh ambaſſador, in order to give diſturbance to the new ſettlement.

The two prieſts * and Broke † were executed: Cobham, Grey, and Markham, were pardoned ‡, after they had laid their heads upon the block. Raleigh too was reprieved, not pardoned; and he remained in confinement many years afterwards.

It appears from Sully's Memoirs, that Raleigh ſecretly offered his ſervices to the French ambaſſador; and we may thence preſume, that meeting with a repulſe from that quarter, he had recourſe, for the ſame unwarrantable purpoſes, to the Flemiſh miniſter. Such a conjecture we are now enabled to form; but it muſt be confeſſed, that, on his trial, there appeared no proof of this tranſaction, nor indeed any circumſtance which could juſtify his condemnation. He was accuſed by Cobham alone, in a ſudden fit of paſſion, upon hearing that Raleigh, when examined, had pointed out ſome circumſtances, by which Cobham's guilt might be known and aſcertained. This accuſation Cobham afterwards retracted; and ſoon after he retracted his retractation. Yet upon the written evidence of this ſingle witneſs, a man of no honour or underſtanding, and ſo contradictory in his teſtimony; not confronted with Raleigh; not ſupported by any concurring circumſtance; was that great man, contrary to all law and equity, found guilty by the jury. His name was at that time extremely odious in England; and every man was pleaſed to give ſentence againſt the capital enemy of Eſſex, the favourite of the people.

Sir Edward Coke, the famous lawyer, then attorney-general, managed the cauſe for the crown, and threw out on Raleigh ſuch groſs abuſe, as may be deemed a great reflection, not only on his own memory, but even, in ſome degree, on the manners of the age. Traitor, monſter, viper, and ſpider of hell, are the terms which he employs againſt one of the moſt illuſtrious men of the kingdom, who was under trial for life and fortune, and who defended himſelf with temper, eloquence, and courage.

* November 29. † December 5. ‡ December 9.

(1604.) The next occupation of the king was entirely according to his heart's content. He was employed in dictating magiſterially to an aſſembly of divines concerning points of faith and diſcipline, and in receiving the applauſes of theſe holy men for his ſuperior zeal and learning. The religious diſputes between the church and the puritans had induced him to call a conference at Hampton-court, on pretence of finding expedients which might reconcile both parties.

Though the ſeverities of Elizabeth towards the catholics had much weakened that party, whoſe genius was oppoſite to the prevailing ſpirit of the nation; like ſeverities had had ſo little influence on the puritans, who were encouraged by that ſpirit, that no leſs than ſeven hundred and fifty clergymen of that party ſigned a petition to the king on his acceſſion; and many more ſeemed willing to adhere to it. They all hoped that James, having received his education in Scotland, and having ſometimes profeſſed an attachment to the church eſtabliſhed there, would at leaſt abate the rigour of the laws enacted in ſupport of the ceremonies, and againſt puritans; if he did not ſhow more particular grace and encouragement to that ſect. But the king's diſpoſition had taken ſtrongly a contrary bias. The more he knew the puritanical clergy, the leſs favour he bore to them. He had remarked in their Scottiſh brethren a violent turn towards republicaniſm and a zealous attachment to civil liberty; principles nearly allied to that religious enthuſiaſm with which they were actuated. He had found, that being moſtly perſons of low birth and mean education, the ſame lofty pretenſions, which attended them in their familiar addreſſes to their Maker, of whom they believed themſelves the peculiar favourites, induced them to uſe the utmoſt freedoms with their earthly ſovereign. In both capacities, of monarch and of theologian, he had experienced the little complaiſance which they were diſpoſed to ſhow him; whilſt they controlled his commands, diſputed his tenets, and, to his face, before the whole people, cenſured his conduct and behaviour. If he had ſubmitted to the indignity of courting their

favour, he treaſured up, on that account, the ſtronger reſentment againſt them, and was determined to make them feel, in their turn, the weight of his authority. Though he had often met with reſiſtance and faction and obſtinacy in the Scottiſh nobility, he retained no ill-will to that order; or rather ſhowed them favour and kindneſs in England, beyond what reaſon and ſound policy could well juſtify: But the aſcendant which the preſbyterian clergy had aſſumed over him, was what his monarchical pride could never thoroughly digeſt *.

He dreaded likewiſe the popularity which attended this order of men in both kingdoms. As uſeleſs auſterities and ſelf-denial are imagined, in many religions, to render us acceptable to a benevolent Being who created us ſolely for happineſs, James remarked, that the ruſtic ſeverity of theſe clergymen, and of their whole ſect, had given them, in the eyes of the multitude, the appearance of ſanctity and virtue. Strongly inclined himſelf to mirth and wine and ſports of all kinds, he apprehended their cenſure for his manner of life, free and diſengaged. And, being thus averſe, from temper, as well as policy, to the ſect of puritans, he was reſolved, if poſſible, to prevent its farther growth in England.

But it was the character of James's councils, throughout his whole reign, that they were more wiſe and equitable in their end, than prudent and political in the means. Though juſtly ſenſible, that no part of civil adminiſtration required greater care or a nicer judgment than the conduct of religious parties; he had not perceived, that, in the ſame proportion as this practical knowledge of theology is requiſite, the ſpeculative refinements in it are mean and even dangerous in a mo-

* James ventured to ſay in his Baſilicon Doron, publiſhed while he was in Scotland: "I proteſt before the great God, "and ſince I am here as upon my Teſtament, it is no place for "me to lie in, that ye ſhall never find with any Highland or "Borderer Thieves, greater ingratitude and more lies and vile "perjuries, than with theſe fanatic ſpirits: And ſuffer not the "principal of them to brook your land."

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narch. By entering zealouſly into frivolous diſputes, James gave them an air of importance and dignity which they could not otherwiſe have acquired; and being himſelf enliſted in the quarrel, he could no longer have recourſe to contempt and ridicule, the only proper method of appeaſing it. The church of England had not yet abandoned the rigid doctrines of grace and predeſtination: The puritans had not yet ſeparated themſelves from the church, nor openly renounced epiſcopacy. Though the ſpirit of the parties was conſiderably different, the only appearing ſubjects of diſpute were concerning the croſs in baptiſm, the ring in marriage, the uſe of the ſurplice, and the bowing at the name of Jeſus. Theſe were the mighty queſtions which were ſolemnly agitated in the conference at Hampton-court between ſome biſhops and dignified clergymen on the one hand, and ſome leaders of the puritanical party on the other; the king and his miniſters being preſent.

(4th Jan.) The puritans were here ſo unreaſonable as to complain of a partial and unfair management of the diſpute; as if the ſearch after truth were in any degree the object of ſuch conferences, and a candid indifference, ſo rare even among private inquirers in *philoſophical* queſtions, could ever be expected among princes and prelates, in a *theological* controverſy. The king, it muſt be confeſſed, from the beginning of the conference, ſhowed the ſtrongeſt propenſity to the eſtabliſhed church, and frequently inculcated a maxim, which, though it has ſome foundation, is to be received with great limitations: No Biſhop, No King. The biſhops, in their turn, were very liberal of their praiſes towards the royal diſputant; and the archbiſhop of Canterbury ſaid, that *undoubtedly his majeſty ſpake by the ſpecial aſſiſtance of God's ſpirit*. A few alterations in the liturgy were agreed to, and both parties ſeparated with mutual diſſatisfaction.

It had frequently been the practice of the puritans to form certain aſſemblies, which they called *propheſyings*; where alternately, as moved by the ſpirit, they diſplayed their zeal in prayers and exhortations, and raiſed their

own enthuſiaſm, as well as that of their audience, to the higheſt pitch, from that ſocial contagion which has ſo mighty an influence on holy fervours, and from the mutual emulation which aroſe in thoſe trials of religious eloquence. Such dangerous ſocieties had been ſuppreſſed by Elizabeth; and the miniſters in this conference moved the king for their revival. But James ſharply replied, *If you aim at a* Scottiſh *preſbytery, it agrees as well with monarchy as God and the devil. There* Jack *and* Tom *and* Will *and* Dick *ſhall meet and cenſure me and my council. Therefore I reiterate my former ſpeech:* Le Roi s'aviſera. *Stay, I pray, for one ſeven years before you demand; and then, if you find me grow purſie and fat, I may perchance hearken unto you. For that government will keep me in breath, and give me work enough.* Such were the political conſiderations which determined the king in his choice among religious parties.

The next aſſembly in which James diſplayed his learning and eloquence, was one that ſhowed more ſpirit of liberty than appeared among his biſhops and theologians. The parliament was now ready to aſſemble (March 19); being ſo long delayed on account of the plague, which had broken out in London, and raged to ſuch a degree that above 30,000 perſons are computed to have died of it in a year; though the city contained at that time little more than 150,000 inhabitants.

The ſpeech which the king made on opening the parliament, fully diſplays his character, and proves him to have poſſeſſed more knowledge and better parts, than prudence or any juſt ſenſe of decorum and propriety. Though few productions of the age ſurpaſs this performance either in ſtyle or matter; it wants that majeſtic brevity and reſerve which becomes a king in his addreſſes to the great council of the nation. It contains, however, a remarkable ſtroke of candour, where he confeſſes his too great facility in yielding to the ſolicitations of ſuitors: A fault which he promiſes to correct, but which adhered to him, and diſtreſſed him, during the whole courſe of his reign.

The

The firſt buſineſs, in which the commons were engaged, was of the utmoſt importance to the preſervation of their privileges; and neither temper nor reſolution were wanting in their conduct of it.

In former periods of the Engliſh government, the houſe of commons was of ſo ſmall weight in the balance of the conſtitution, that little attention had been given, either by the crown, the people, or the houſe itſelf, to the choice and continuance of the members. It had been uſual, after parliaments were prolonged beyond one ſeſſion, for the chancellor to exert a diſcretionary authority of iſſuing new writs to ſupply the place of any members whom he judged incapable of attending, either on account of their employment, their ſickneſs, or other impediment. This practice gave that miniſter, and conſequently the prince, an unlimited power of modelling at pleaſure the repreſentatives of the nation; yet ſo little jealouſy had it created, that the commons, of themſelves, without any court influence or intrigue, and contrary to ſome former votes of their own, confirmed it in the twenty-third of Elizabeth. At that time, though ſome members, whoſe places had been ſupplied on account of ſickneſs, having now recovered their health, appeared in the houſe, and claimed their ſeat; ſuch was the authority of the chancellor, that, merely out of reſpect to him, his ſentence was adhered to, and the new members were continued in their places. Here a moſt dangerous prerogative was conferred on the crown: But to ſhow the genius of that age, or rather the channels in which power then ran, the crown put very little value on this authority; inſomuch that two days afterwards, the chancellor, of himſelf, reſigned it back to the commons, and gave them power to judge of a particular vacancy in their houſe. And when the queſtion concerning the chancellor's new writs was again brought on the carpet towards the end of the ſeſſion, the commons were ſo little alarmed at the precedent, that, though they readmitted ſome old members, whoſe ſeats had been vacated on account of ſlight indiſpoſitions, yet they confirmed the chan-

chancellor's ſentence, in inſtances where the diſtemper appeared to have been dangerous and incurable. Nor did they proceed any farther in vindication of their privileges, than to vote, *that during the ſitting of parliament, there do not, at any time, any writ go out for chuſing or returning any member without the warrant of the houſe.* In Elizabeth's reign we may remark, and the reigns preceding, ſeſſions of parliament were not uſually the twelfth part ſo long as the vacations; and during the latter, the chancellor's power, if he pleaſed to exert it, was confirmed, at leaſt left, by this vote, as unlimited and unreſtrained as ever.

In a ſubſequent parliament, the abſolute authority of the queen was exerted in a manner ſtill more open; and began for the firſt to give alarm to the commons. New writs having been iſſued by the chancellor when there was no vacancy, and a controverſy ariſing upon that incident, the queen ſent a meſſage to the houſe, informing them, that it were impertinent for them to deal in ſuch matters. Theſe queſtions, ſhe ſaid, belonged only to the chancellor; and ſhe had appointed him to confer with the judges, in order to ſettle all diſputes with regard to elections. The commons had the courage, a few days after, to vote, "That it was a moſt perilous precedent, "where two knights of a county were duly elected, if "any new writ ſhould iſſue out for a ſecond election, "without order of the houſe itſelf; that the diſcuſſing "and adjudging of this and ſuch like differences be-"longed only to the houſe; and that there ſhould be no "meſſage ſent to the lord chancellor, not ſo much as to "inquire what he had done in the matter, becauſe it "was conceived to be a matter derogatory to the power "and privilege of the houſe." This is the moſt conſiderable, and almoſt only inſtance, of parliamentary liberty, which occurs during the reign of that princeſs.

Outlaws, whether on account of debts or crimes, had been declared by the judges incapable of enjoying a ſeat in the houſe, where they muſt themſelves be lawgivers; but this opinion of the judges had been frequently overruled.

ruled. I find, however, in the caſe of Vaughan *, who was queſtioned for an outlawry, that, having proved all his debts to have been contracted by ſuretiſhip, and to have been, moſt of them, honeſtly compounded, he was allowed, on account of theſe favourable circumſtances, to keep his ſeat: Which plainly ſuppoſes that, otherwiſe, it would have been vacated, on account of the outlawry †.

When James ſummoned this parliament, he iſſued a proclamation ‡; in which, among many general advices, which, like a kind tutor, he beſtowed on his people, he ſtrictly enjoins them not to chuſe any outlaw for their repreſentative. And he adds; *If any perſon take upon him the place of knight, citizen, or burgeſs, not being duly elected, according to the laws and ſtatutes in that behalf provided, and according to the purport, effect, and true meaning of this our proclamation, then every perſon ſo offending to be fined or impriſoned for the ſame.* A proclamation here was plainly put on the ſame footing with a law, and that in ſo delicate a point as the right of elections: Moſt alarming circumſtances, had there not been reaſon to believe that this meaſure, being entered into ſo early in the king's reign, proceeded more from precipitation and miſtake, than from any ſerious deſign of invading the privileges of parliament §.

Sir

* Journals, Feb. 8, 1580.

† In a ſubſequent parliament, that of the 35th of the queen, the commons, after great debate, expreſly voted, that a perſon outlawed might be elected. But as the matter had been much conteſted, the king might think the vote of the houſe no law, and might eſteem his own deciſion of more weight than theirs. We may alſo ſuppoſe that he was not acquainted with this vote. Queen Elizabeth, in her ſpeech to her laſt parliament, complained of their admitting outlaws, and repreſents that conduct of the houſe as a great abuſe.

‡ Jan. 11, 1604.

§ The duke of Sully tells us, that it was a maxim of James, that no prince in the firſt year of his reign, ſhould begin

Sir Francis Goodwin was choſen member for the county of Bucks; and his return, as uſual, was made into chancery. The chancellor, pronouncing him an outlaw, vacated his ſeat, and iſſued writs for a new election. Sir John Forteſcue was choſen in his place by the county. But the firſt act of the houſe was, to reverſe the chancellor's ſentence, and reſtore ſir Francis to his ſeat. At the king's ſuggeſtion, the lords deſired a conference on the ſubject; but were abſolutely refuſed by the commons, as the queſtion entirely regarded their own privileges. The commons, however, agreed to make a remonſtrance to the king by the mouth of their ſpeaker; in which they maintained, that though the returns were by form made into chancery, yet the ſole right of judging with regard to elections belonged to the houſe itſelf, not to the chancellor. James was not ſatisfied, and ordered a conference between the houſe and the judges, whoſe opinion in this caſe was oppoſite to that of the commons. This conference, he ſaid, he commanded as an *abſolute* king *; an epithet, we are apt to imagine, not very grateful to Engliſh ears, but one to which they had already been ſomewhat accuſtomed from the mouth of Elizabeth. He added, *That all their privileges were derived from his grant, and hoped they would not turn them againſt him*; a ſentiment which, from her conduct, it is certain that princeſs had alſo entertained, and which was the reigning principle of her courtiers and miniſters, and the ſpring of all her adminiſtration.

The commons were in ſome perplexity. Their eyes were now opened, and they ſaw the conſequences of that

begin any conſiderable undertaking: A maxim reaſonable in itſelf, and very ſuitable to his cautious, not to ſay timid character. The facility with which he departed from this pretenſion, is another proof that his meaning was innocent. But had the privileges of parliament been at that time exactly aſcertained, or royal power fully limited, could ſuch an imagination ever have been entertained by him, as to think that his proclamations could regulate parliamentary elections?

* See note [I] at the end of the volume.

power

power which had been assumed by the chancellor, and to which their predecessors had, in some instances, blindly submitted. *By this course*, said a member, *the free election of the counties is taken away, and none shall be chosen but such as shall please the king and council. Let us, therefore, with fortitude, understanding, and sincerity, seek to maintain our privilege. This cannot be construed any contempt in us, but merely a maintenance of our common rights, which our ancestors have left us, and which it is just and fit for us to transmit to our posterity.* Another said, *This may be called a* quo warranto *to seize all our liberties. A chancellor*, added a third, *by this course, may call a parliament consisting of what persons he pleases. Any suggestion, by any person, may be the cause of sending a new writ. It is come to this plain question, Whether the chancery or parliament ought to have authority?*

Notwithstanding this watchful spirit of liberty, which now appeared in the commons, their deference for majesty was so great, that they appointed a committee to confer with the judges before the king and council. There the question of law began to appear, in James's eyes, a little more doubtful than he had hitherto imagined it; and in order to extricate himself with some honour, he proposed that both Goodwin and Fortescue should be set aside, and a writ be issued, by warrant of the house, for a new election. Goodwin gave his consent, and the commons embraced the expedient; but in such a manner, that, while they showed their regard for the king, they secured for the future the free possession of their seats, and the right which they claimed, of judging solely in their own elections and returns *.

A power like this, so essential to the exercise of all their other powers, themselves so essential to public liberty, cannot fairly be deemed an encroachment in the commons; but must be regarded as an inherent privilege, happily rescued from that ambiguity which the

* See note [K] at the end of the volume.

negli-

negligence of ſome former parliaments had thrown upon it.

At the ſame time the commons, in the caſe of ſir Thomas Shirley, eſtabliſhed their power of puniſhing, as well the perſons at whoſe ſuit any member is arreſted, as the officers who either arreſt or detain him. Their aſſerting of this privilege admits of the ſame reflection.

About this period, the minds of men throughout Europe, eſpecially in England, ſeem to have undergone a general, but inſenſible revolution. Though letters had been revived in the preceding age, they were chiefly cultivated by thoſe of ſedentary profeſſions; nor had they, till now, begun to ſpread themſelves, in any degree, among men of the world. Arts, both mechanical and liberal, were every day receiving great improvements. Navigation had extended itſelf over the whole globe. Travelling was ſecure and agreeable. And the general ſyſtem of politics in Europe was become more enlarged and comprehenſive.

In conſequence of this univerſal fermentation, the ideas of men enlarged themſelves on all ſides; and the ſeveral conſtituent parts of the Gothic governments, which ſeem to have lain long unactive, began, everywhere, to operate and encroach on each other. On the continent, where the neceſſity of diſcipline had begotten ſtanding armies, the princes commonly eſtabliſhed an unlimited authority, and overpowered, by force or intrigue, the liberties of the people. In England, the love of freedom, which, unleſs checked, flouriſhes extremely in all liberal natures, acquired new force, and was regulated by more enlarged views, ſuitably to that cultivated underſtanding, which became, every day, more common among men of birth and education. A familiar acquaintance with the precious remains of antiquity excited, in every generous breaſt, a paſſion for a limited conſtitution, and begat an emulation of thoſe manly virtues, which the Greek and Roman authors, by ſuch animating examples, as well as pathetic expreſſions, recommend to us. The ſevere though popular government of Eliza-

beth had confined this riſing ſpirit within very narrow bounds: But when a new and a foreign family ſucceeded to the throne, and a prince leſs dreaded and leſs beloved, ſymptoms immediately appeared of a more free and independent genius in the nation.

Happily this prince poſſeſſed neither ſufficient capacity to perceive the alteration, nor ſufficient art and vigour to check it in its early advances. Jealous of regal, becauſe conſcious of little perſonal authority, he had eſtabliſhed within his own mind a ſpeculative ſyſtem of abſolute government, which few of his ſubjects, he believed, and none but traitors and rebels, would make any ſcruple to admit. On whichever ſide he caſt his eye, every thing concurred to encourage his prejudices. When he compared himſelf with the other hereditary ſovereigns of Europe, he imagined that, as he bore the ſame rank, he was entitled to equal prerogatives; not conſidering the innovations lately introduced by them, and the military force by which their authority was ſupported. In England, that power, almoſt unlimited, which had been exerciſed for above a century, eſpecially during the late reign, he aſcribed ſolely to royal birth and title; not to the prudence and ſpirit of the monarchs, nor to the conjunctures of the times. Even the oppoſition which he had ſtruggled with in Scotland encouraged him ſtill farther in his favourite notions; while he there ſaw, that the ſame reſiſtance which oppoſed regal authority, violated all law and order, and made way either for the ravages of a barbarous nobility, or for the more intolerable inſolence of ſeditious preachers. In his own perſon, therefore, he thought all legal power to be centered, by an hereditary and a divine right: And this opinion might have proved dangerous, if not fatal, to liberty, had not the firmneſs of the perſuaſion, and its ſeeming evidence, induced him to truſt ſolely to his right, without making the ſmalleſt proviſion, either of force or politics, in order to ſupport it.

Such were the oppoſite diſpoſitions of parliament and prince, at the commencement of the Scottiſh line; diſpoſitions juſt beginning to exiſt and to appear in the parlia-

ment *, but thoroughly eſtabliſhed and openly avowed on the part of the prince.

The ſpirit and judgment of the houſe of commons appeared, not only in defence of their own privileges, but alſo in their endeavour, though, at this time, in vain, to free trade from thoſe ſhackles, which the high-exerted prerogative, and even, in this reſpect, the ill-judged tyranny of Elizabeth, had impoſed upon it.

James had already, of his own accord, called in and annulled all the numerous patents for monopolies which had been granted by his predeceſſor, and which extremely fettered every ſpecies of domeſtic induſtry: But the excluſive companies ſtill remained; another ſpecies of monopoly, by which almoſt all foreign trade, except that to France, was brought into the hands of a few rapacious engroſſers, and all proſpect of future improvement in commerce was for ever ſacrificed to a little temporary advantage of the ſovereign. Theſe companies, though arbitrarily erected, had carried their privileges ſo far, that almoſt all the commerce of England was centered in London; and it appears that the cuſtoms of that port amounted to 110,000 l. a-year, while thoſe of all the kingdom beſide yielded only ſeventeen thouſand. Nay, the whole trade of London was confined to about two hundred citizens, who were eaſily enabled, by combining among themſelves, to fix whatever price they pleaſed both to the exports and imports of the nation. The committee appointed to examine this enormous grievance, one of the greateſt which we read of in Engliſh ſtory, inſiſt on it as a fact well-known and avowed, however contrary to preſent received opinion, that ſhipping and ſeamen had ſenſibly decayed during all the preceding reign †. And though nothing be more common than complaints of the decay of trade even during the moſt

* See note [L] at the end of the volume.

† A remonſtrance from the Trinity-houſe, in 1603, ſays, that in a little above twelve years, after 1588, the ſhipping and number of ſeamen in England decayed about a third.

Rem-

flouriſhing periods; yet is this a conſequence which might naturally reſult from ſuch arbitrary eſtabliſhments, at a time when the commerce of all the other nations of Europe, except that of Scotland, enjoyed full liberty and indulgence.

While the commons were thus attempting to give liberty to the trading part of the nation, they alſo endeavoured to free the landed property from the burden of wardſhips, and to remove thoſe remains of the feudal tenures, under which the nation ſtill laboured. A juſt regard was ſhown to the crown in the conduct of this affair; nor was the remedy ſought for, conſidered as a matter of right, but merely of grace and favour. The profit which the king reaped, both from wards and from reſpite of homage, was eſtimated; and it was intended to compound for theſe prerogatives by a ſecure and independent revenue. But after ſome debates in the houſe, and ſome conferences with the lords, the affair was found to contain more difficulties than could eaſily, at that time, be ſurmounted; and it was not then brought to any concluſion.

The ſame fate attended an attempt of a like nature, to free the nation from the burden of purveyance. This prerogative had been much abuſed by the purveyors; and the commons ſhowed ſome intention to offer the king fifty thouſand pounds a-year for the abolition of it.

Another affair of the utmoſt conſequence was brought before the parliament, where the commons ſhowed a greater ſpirit of independence than any true judgment of national intereſt. The union of the two kingdoms was zealouſly, and even impatiently, urged by the king. He juſtly regarded it as the peculiar felicity of his reign, that he had terminated the bloody animoſities of theſe hoſtile nations, and had reduced the whole iſland under one government; enjoying tranquillity within itſelf, and ſecurity from all foreign invaſions. He hoped that, while his ſubjects of both kingdoms reflected on paſt diſaſters, beſides regarding his perſon as infinitely precious, they would entertain the ſtrongeſt deſire of ſecuring themſelves

againſt the return of like calamities, by a thorough union of laws, parliaments, and privileges. He conſidered not, that this very reflection operated, as yet, in a contrary manner on men's prejudices, and kept alive that mutual hatred between the nations, which had been carried to the greateſt extremities, and required time to allay it. The more urgent the king appeared in promoting ſo uſeful a meaſure, the more backward was the Engliſh parliament in concurring with him; while they aſcribed his exceſſive zeal, to that partiality in favour of his ancient ſubjects, of which they thought that, on other occaſions, they had reaſon to complain. Their complaiſance for the king, therefore, carried them no farther than to appoint forty-four Engliſh to meet with thirty-one Scottiſh commiſſioners, in order to deliberate concerning the terms of a union; but without any power of making advances towards the eſtabliſhment of it.

The ſame ſpirit of independence, and perhaps not better judgment, appeared in the houſe of commons, when the queſtion of ſupply was brought before them, by ſome members attached to the court. In vain was it urged, that, though the king received a ſupply which had been voted to Elizabeth, and which had not been collected before her death; yet he found it burdened with a debt contracted by the queen, equal to the full amount of it: That peace was not yet thoroughly concluded with Spain, and that Ireland was ſtill expenſive to him: That on his journey from Scotland amidſt ſuch a concourſe of people, and on that of the queen and royal family, he had expended conſiderable ſums: And that as the courtiers had looked for greater liberalities from the prince on his acceſſion, and had impoſed on his generous nature; ſo the prince, in his turn, would expect, at the beginning, ſome mark of duty and attachment from his people, and ſome conſideration of his neceſſities. No impreſſion was made on the houſe of commons by theſe topics; and the majority appeared fully determined to refuſe all ſupply. The burden of government, at that time, lay ſurpriſingly light upon the people: And

that

that very reaſon, which to us, at this diſtance, may ſeem a motive of generoſity, was the real cauſe why the parliament was, on all occaſions, ſo remarkably frugal and reſerved. They were not, as yet, accuſtomed to open their purſes in ſo liberal a manner as their ſucceſſors, in order to ſupply the wants of their ſovereign; and the ſmalleſt demand, however requiſite, appeared in their eyes unreaſonable and exorbitant. The commons ſeem alſo to have been deſirous of reducing the crown to ſtill farther neceſſities, by their refuſing a bill, ſent down to them by the lords, for entailing the crown-lands for ever on the king's heirs and ſucceſſors. The diſſipation, made by Elizabeth, had probably taught James the neceſſity of this law, and ſhown them the advantage of refuſing it.

In order to cover a diſappointment with regard to ſupply, which might bear a bad conſtruction, both at home and abroad, James ſent a meſſage to the houſe, in which he told them, that he deſired no ſupply; and he was very forward in refuſing what was never offered him. Soon after, he prorogued the parliament, not without diſcovering, in his ſpeech, viſible marks of diſſatisfaction. Even ſo early in his reign, he ſaw reaſon to make public complaints of the reſtleſs and encroaching ſpirit of the puritanical party, and of the malevolence with which they endeavoured to inſpire the commons. Nor were his complaints without foundation, or the puritans without intereſt; ſince the commons, now finding themſelves free from the arbitrary government of Elizabeth, made application for a conference with the lords, and preſented a petition to the king; the purport of both which was, to procure, in favour of the puritans, a relaxation of the eccleſiaſtical laws *. The uſe of the ſurplice, and of the croſs in baptiſm, is there chiefly complained of; but the remedy ſeems to have been expected ſolely from the king's diſpenſing power. In the

* La Boderie, the French ambaſſador, ſays, that the houſe of commons was compoſed moſtly of puritans.

papers which contain this application and petition, we may alſo ſee proofs of the violent animoſity of the commons againſt the catholics, together with the intolerating ſpirit of that aſſembly *.

This ſummer the peace with Spain was finally concluded, and was ſigned by the Spaniſh miniſters at London †. In the conferences, previous to this treaty, the nations were found to have ſo few claims on each other, that, except on account of the ſupport given by England to the Low Country provinces, the war might appear to have been continued more on account of perſonal animoſity between Philip and Elizabeth, than any contrariety of political intereſts between their ſubjects. Some articles in the treaty, which ſeemed prejudicial to the Dutch commonwealth, were never executed by the king; and as the Spaniards made no complaints on that head, it appeared that, by ſecret agreement, the king had expreſly reſerved the power of ſending aſſiſtance to the Hollanders ‡. The conſtable of Caſtile came into England to ratify the peace; and, on the part of England, the earl of Hertford was ſent into the Low Countries for the ſame purpoſe, and the earl of Nottingham, high admiral, into Spain. The train of the latter was numerous and ſplendid; and the Spaniards, it is ſaid, were extremely ſurpriſed, when they beheld the blooming countenances and graceful appearance of the Engliſh, whom their bigotry, inflamed by the prieſts, had repreſented as ſo many monſters and infernal dæmons.

Though England, by means of her naval force, was perfectly ſecure, during the latter years of the Spaniſh war, James ſhowed an impatience to put an end to hoſtilities; and ſoon after his acceſſion, before any terms of

* See note [M] at the end of the volume.

† 18th Aug.

‡ In this reſpect James's peace was more honourable than that which Henry IV. himſelf made with Spain. This latter prince ſtipulated not to aſſiſt the Dutch; and the ſupplies, which he ſecretly ſent them, were in direct contravention to the treaty.

peace

peace were concerted, or even propoſed, by Spain, he recalled all the letters of marque* which had been granted by queen Elizabeth. Archduke Albert had made ſome advances of a like nature, which invited the king to take this friendly ſtep. But what is remarkable; in James's proclamation for that purpoſe, he plainly ſuppoſes, that, as he had himſelf, while king of Scotland, always lived in amity with Spain, peace was attached to his perſon, and that merely by his acceſſion to the crown of England, without any articles of treaty or agreement, he had ended the war between the kingdoms. This ignorance of the law of nations may appear ſurpriſing in a prince, who was thirty-ſix years of age, and who had reigned from his infancy; did we not conſider, that a king of Scotland, who lives in cloſe friendſhip with England, has few tranſactions to manage with foreign princes, and has little opportunity of acquiring experience. Unhappily for James, his timidity, his prejudices, his indolence, his love of amuſement, particularly of hunting, to which he was much addicted, ever prevented him from making any progreſs in the knowledge or practice of foreign politics, and in a little time diminiſhed that regard which all the neighbouring nations had paid to England during the reign of his predeceſſor.

CHAP. XLVI.

Gunpowder conſpiracy—A parliament—Truce betwixt Spain and the United Provinces—A parliament—Death of the French king—Arminianiſm—State of Ireland.

WE are now to relate an event, one of the moſt memorable that hiſtory has conveyed to poſterity, and containing at once a ſingular proof both of the ſtrength and weakneſs of the human mind; its wideſt departure from morals, and moſt ſteady attachment to religious pre-

* 23d June 1603.

judices.

judices. 'Tis the *Gunpowder treaſon* of which I ſpeak; a fact as certain as it appears incredible.

The Roman catholics had expected great favour and indulgence on the acceſſion of James, both as he was deſcended from Mary, whoſe life they believed to have been ſacrificed to their cauſe, and as he himſelf, in his early youth, was imagined to have ſhown ſome partiality towards them, which nothing, they thought, but intereſt and neceſſity had ſince reſtrained. It is pretended, that he had even entered into poſitive engagements to tolerate their religion, as ſoon as he ſhould mount the throne of England; whether their credulity had interpreted in this ſenſe ſome obliging expreſſions of the king's, or that he had employed ſuch an artifice, in order to render them favourable to his title. Very ſoon they diſcovered their miſtake; and were at once ſurpriſed and enraged to find James, on all occaſions, expreſs his intention of ſtrictly executing the laws enacted againſt them, and of perſevering in all the rigorous meaſures of Elizabeth. Cateſby, a gentleman of good parts and of an ancient family, firſt thought of a moſt extraordinary method of revenge; and he opened his intention to Piercy, a deſcendant of the illuſtrious houſe of Northumberland. In one of their converſations with regard to the diſtreſſed condition of the catholics, Piercy having broken into a ſally of paſſion, and mentioned aſſaſſinating the king; Cateſby took the opportunity of revealing to him a nobler and more extenſive plan of treaſon, which not only included a ſure execution of vengeance, but afforded ſome hopes of reſtoring the catholic religion in England. In vain, ſaid he, would you put an end to the king's life: He has children, who would ſucceed both to his crown and to his maxims of government. In vain would you extinguiſh the whole royal family: The nobility, the gentry, the parliament, are all infected with the ſame hereſy, and could raiſe to the throne another prince and another family, who, beſides their hatred to our religion, would be animated with revenge for the tragical death of their predeceſſors. To ſerve any good purpoſe, we muſt deſtroy, at one blow, the king, the royal family, the lords, the

the commons; and bury all our enemies in one common ruin. Happily, they are all assembled on the first meeting of the parliament; and afford us the opportunity of glorious and useful vengeance. Great preparations will not be requisite. A few of us, combining, may run a mine below the hall, in which they meet; and chusing the very moment when the king harangues both houses, consign over to destruction these determined foes to all piety and religion. Meanwhile, we ourselves standing aloof, safe and unsuspected, shall triumph in being the instruments of divine wrath, and shall behold with pleasure those sacrilegious walls, in which were passed the edicts for proscribing our church and butchering her children, tossed into a thousand fragments; while their impious inhabitants, meditating, perhaps, still new persecutions against us, pass from flames above to flames below, there for ever to endure the torments due to their offences.

Piercy was charmed with this project of Catesby; and they agreed to communicate the matter to a few more, and among the rest to Thomas Winter, whom they sent over to Flanders, in quest of Fawkes, an officer in the Spanish service, with whose zeal and courage they were all thoroughly acquainted. When they inlisted any new conspirator, in order to bind him to secrecy, they always, together with an oath, employed the Communion, the most sacred rite of their religion. And it is remarkable, that no one of these pious devotees ever entertained the least compunction with regard to the cruel massacre, which they projected, of whatever was great and eminent in the nation. Some of them only were startled by the reflection, that of necessity many catholics must be present; as spectators or attendants on the king, or as having seats in the house of peers: But Tesmond, a Jesuit, and Garnet, superior of that order in England, removed these scruples, and showed them how the interests of religion required that the innocent should here be sacrificed with the guilty.

All this passed in the spring and summer of the year 1604; when the conspirators also hired a house in Piercy's name,

name, adjoining to that in which the parliament was to aſſemble. Towards the end of that year they began their operations. That they might be leſs interrupted, and give leſs ſuſpicion to the neighbourhood, they carried in ſtore of proviſions with them, and never deſiſted from their labour. Obſtinate in their purpoſe, and confirmed by paſſion, by principle, and by mutual exhortation, they little feared death in compariſon of a diſappointment; and having provided arms, together with the inſtruments of their labour, they reſolved there to periſh in caſe of a diſcovery. (1605.) Their perſeverance advanced the work; and they ſoon pierced the wall, though three yards in thickneſs; but on approaching the other ſide, they were ſomewhat ſtartled at hearing a noiſe, which they knew not how to account for. Upon inquiry, they found that it came from the vault below the houſe of lords; that a magazine of coals had been kept there; and that, as the coals were ſelling off, the vault would be let to the higheſt bidder. The opportunity was immediately ſeized; the place hired by Piercy; thirty-ſix barrels of powder lodged in it; the whole covered up with faggots and billets; the doors of the cellar boldly flung open; and every body admitted, as if it contained nothing dangerous.

Confident of ſucceſs, they now began to look forward, and to plan the remaining part of their project. The king, the queen, prince Henry, were all expected to be preſent at the opening of parliament. The duke, by reaſon of his tender age, would be abſent; and it was reſolved, that Piercy ſhould ſeize him, or aſſaſſinate him. The princeſs Elizabeth, a child likewiſe, was kept at lord Harrington's houſe at Warwickſhire; and ſir Everard Digby, Rookwood, Grant, being let into the conſpiracy, engaged to aſſemble their friends on pretence of a hunting-match, and ſeizing that princeſs, immediately to proclaim her queen. So tranſported were they with rage againſt their adverſaries, and ſo charmed with the proſpect of revenge, that they forgot all care of their own ſafety; and truſting to the general confuſion, which muſt reſult from ſo unexpected a blow, they foreſaw not, that

that the fury of the people, now unreſtrained by any authority, muſt have turned againſt them, and would probably have ſatiated itſelf, by an univerſal maſſacre of the catholics.

The day, ſo long wiſhed for, now approached, on which the parliament was appointed to aſſemble. The dreadful ſecret, though communicated to above twenty perſons, had been religiouſly kept, during the ſpace of near a year and a half. No remorſe, no pity, no fear of puniſhment, no hope of reward, had, as yet, induced any one conſpirator, either to abandon the enterpriſe, or make a diſcovery of it. The holy fury had extinguiſhed in their breaſt every other motive; and it was an indiſcretion at laſt, proceeding chiefly from theſe very bigotted prejudices and partialities, which ſaved the nation.

Ten days before the meeting of parliament, lord Monteagle, a catholic, ſon to lord Morley, received the following letter, which had been delivered to his ſervant by an unknown hand: *My Lord, Out of the love I bear to ſome of your friends, I have a care of your preſervation. Therefore I would adviſe you, as you tender your life, to deviſe ſome excuſe to ſhift off your attendance at this parliament. For God and man have concurred to puniſh the wickedneſs of this time. And think not ſlightly of this advertiſement; but retire yourſelf into your country, where you may expect the event in ſafety. For, though there be no appearance of any ſtir, yet, I ſay, they will receive a terrible blow this parliament, and yet they ſhall not ſee who hurts them. This counſel is not to be contemned, becauſe it may do you good, and can do you no harm: For the danger is paſt, as ſoon as you have burned the letter. And I hope God will give you the grace to make good uſe of it, unto whoſe holy protection I commend you.*

Monteagle knew not what to make of this letter; and though inclined to think it a fooliſh attempt to frighten and ridicule him, he judged it ſafeſt to carry it to lord Saliſbury, ſecretary of ſtate. Though Saliſbury too was inclined to pay little attention to it, he thought proper

proper to lay it before the king, who came to town a few days after. To the king it appeared not ſo light a matter; and from the ſerious earneſt ſtyle of the letter, he conjectured that it implied ſomething dangerous and important. A *terrible blow*, and yet *the authors concealed*; a danger ſo *ſudden*, and yet ſo *great*; theſe circumſtances ſeemed all to denote ſome contrivance by gunpowder; and it was thought adviſable to inſpect all the vaults below the houſes of parliament. This care belonged to the earl of Suffolk, lord chamberlain; who purpoſely delayed the ſearch, till the day before the meeting of parliament. He remarked thoſe great piles of wood and faggots, which lay in the vault under the upper houſe; and he caſt his eye upon Fawkes, who ſtood in a dark corner, and paſſed himſelf for Piercy's ſervant. That daring and determined courage, which ſo much diſtinguiſhed this conſpirator, even among thoſe heroes in villany, was fully painted in his countenance, and was not paſſed unnoticed by the chamberlain. Such a quantity alſo of fuel, for the uſe of one who lived ſo little in town as Piercy, appeared a little extraordinary; and upon comparing all circumſtances, it was reſolved that a more thorough inſpection ſhould be made. About midnight, ſir Thomas Knevet, a juſtice of peace, was ſent with proper attendants; and before the door of the vault finding Fawkes, who had juſt finiſhed all his preparations, he immediately ſeized him, and turning over the faggots, diſcovered the powder. The matches and every thing proper for ſetting fire to the train were taken in Fawkes's pocket; who finding his guilt now apparent, and ſeeing no refuge but in boldneſs and deſpair, expreſſed the utmoſt regret, that he had loſt the opportunity of firing the powder at once, and of ſweetening his own death by that of his enemies. Before the council, he diſplayed the ſame intrepid firmneſs, mixed even with ſcorn and diſdain; refuſing to diſcover his accomplices, and ſhowing no concern but for the failure of the enterpriſe. This obſtinacy laſted two or three days: But being confined to the Tower, left to reflect on his guilt and danger, and the rack being juſt ſhown to

him; his courage, fatigued with so long an effort, and unsupported by hope or society, at last failed him; and he made a full discovery of all the conspirators.

Catesby, Piercy, and the other criminals, who were in London, though they had heard of the alarm taken at a letter sent to Monteagle; though they had heard of the chamberlain's search; yet were resolved to persist to the utmost, and never abandon their hopes of success *. But at last, hearing that Fawkes was arrested, they hurried down to Warwickshire; where sir Everard Digby, thinking himself assured that success had attended his confederates, was already in arms, in order to seize the princess Elizabeth. She had escaped into Coventry; and they were obliged to put themselves on their defence against the country, who were raised from all quarters, and armed, by the sheriff. The conspirators, with all their attendants, never exceeded the number of eighty persons; and being surrounded on every side, could no longer entertain hopes, either of prevailing or escaping. Having therefore confessed themselves, and received absolution, they boldly prepared for death, and resolved to sell their lives as dear as possible to the assailants. But even this miserable consolation was denied them. Some of their powder took fire, and disabled them for defence. The people rushed in upon them. Piercy and Catesby were killed by one shot. Digby, Rookwood, Winter, and others, being taken prisoners, were tried, confessed their guilt, and died, as well as Garnet, by the hands of the executioner. Notwithstanding this horrid crime, the bigotted catholics were so devoted to Garnet, that they fancied miracles to be wrought by his blood; and in Spain he was regarded as a martyr.

Neither had the desperate fortune of the conspirators urged them to this enterprise, nor had the former profligacy of their lives prepared them for so great a crime. Before that audacious attempt, their conduct seems, in general, to be liable to no reproach. Catesby's character had entitled him to such regard, that Rookwood

* See note [N] at the end of the volume.

and Digby were ſeduced by their implicit truſt in his judgment; and they declared, that, from the motive alone of friendſhip to him, they were ready, on any occaſion, to have ſacrificed their lives. Digby himſelf was as highly eſteemed and beloved as any man in England; and he had been particularly honoured with the good opinion of queen Elizabeth. It was bigotted zeal alone, the moſt abſurd of prejudices maſqued with reaſon, the moſt criminal of paſſions covered with the appearance of duty, which ſeduced them into meaſures, that were fatal to themſelves, and had ſo nearly proved fatal to their country *.

The lords Mordaunt and Stourton, two catholics, were fined, the former ten thouſand pounds, the latter four thouſand, by the ſtar-chamber; becauſe their abſence from parliament had begotten a ſuſpicion of their being acquainted with the conſpiracy. The earl of Northumberland was fined thirty thouſand pounds, and detained ſeveral years priſoner in the Tower; becauſe, not to mention other grounds of ſuſpicion, he had admitted Piercy into the number of gentlemen penſioners, without his taking the requiſite oaths.

The king, in his ſpeech to the parliament, obſerved, that, though religion had engaged the conſpirators in ſo criminal an attempt, yet ought we not to involve all the Roman catholics in the ſame guilt, or ſuppoſe them equally diſpoſed to commit ſuch enormous barbarities. Many holy men, he ſaid, and our anceſtors among the reſt, had been ſeduced to concur with that church in her ſcholaſtic doctrines; who yet had never admitted her ſeditious principles, concerning the pope's power of dethroning kings, or ſanctifying aſſaſſination. The wrath of Heaven is denounced againſt crimes, but innocent error may ob-

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(1606.) The moderation, and, I may ſay, magnanimity, of the king, immediately after ſo narrow an eſcape from a moſt deteſtable conſpiracy, was nowiſe agreeable to his ſubjects. Their animoſity againſt popery, even before this provocation, had riſen to a great pitch; and it had perhaps been more prudent in James, by a little diſſimulation, to have conformed himſelf to it. His theological learning, confirmed by diſputation, had happily fixed his judgment in the proteſtant faith; yet was his heart a little biaſſed by the allurements of Rome, and he had been well pleaſed, if the making of ſome advances could have effected an union with that ancient mother-church. He ſtrove to abate the acrimony of his own ſubjects againſt the religion of their fathers: He became himſelf the object of their diffidence and averſion. Whatever meaſures he embraced; in Scotland to introduce prelacy, in England to enforce the authority of the eſtabliſhed church, and ſupport its rites and ceremonies; were interpreted as ſo many ſteps towards popery; and were repreſented by the puritans as ſymptoms of idolatry and ſuperſtition. Ignorant of the conſequences, or unwilling to ſacrifice to politics his inclination, which he called his conſcience, he perſevered in the ſame meaſures, and gave truſt and preferment, almoſt indifferently, to his catholic and proteſtant ſubjects. And finding his

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perſon, as well as his title, leſs obnoxious to the church of Rome, than thoſe of Elizabeth, he gradually abated the rigour of thoſe laws, which had been enacted againſt that church, and which were ſo acceptable to his bigotted ſubjects. But the effects of theſe diſpoſitions on both ſides became not very ſenſible till towards the concluſion of his reign.

At this time James ſeems to have poſſeſſed the affections even of his Engliſh ſubjects, and, in a tolerable degree, their eſteem and regard. Hitherto their complaints were chiefly levelled againſt his too great conſtancy in his early friendſhips; a quality which, had it been attended with more economy, the wiſe would have excuſed, and the candid would even, perhaps, have applauded. His parts, which were not deſpicable, and his learning, which was great, being highly extolled by his courtiers and gownmen, and not yet tried in the management of any delicate affairs, for which he was unfit, raiſed a high idea of him in the world; nor was it always through flattery or inſincerity that he received the title of the ſecond Solomon. A report, which was ſuddenly ſpread about this time, of his being aſſaſſinated, viſibly ſtruck a great conſternation into all orders of men. The commons alſo abated, this ſeſſion, ſomewhat of their exceſſive frugality, and granted him an aid, payable in four years, of three ſubſidies and ſix fifteenths, which, ſir Francis Bacon ſaid in the houſe, might amount to about four hundred thouſand pounds: And for once the king and parliament parted in friendſhip and good-humour. The hatred which the catholics ſo viſibly bore him, gave him, at this time, an additional value in the eyes of his people. The only conſiderable point, in which the commons incurred his diſpleaſure, was by diſcovering their conſtant good-will to the puritans, in whoſe favour they deſired a conference with the lords: Which was rejected.

(Nov. 18.) The chief affair tranſacted next ſeſſion, was the intended union of the two kingdoms. Nothing could exceed the king's paſſion and zeal for this noble enterpriſe, but the parliament's prejudice and reluctance againſt

againſt it. There remain two excellent ſpeeches in favour of the union, which it would not be improper to compare together; that of the king, and that of ſir Francis Bacon. Thoſe, who affect in every thing ſuch an extreme contempt for James, will be ſurpriſed to find, that his diſcourſe, both for good reaſoning and eloquent compoſition, approaches very near that of a man, who was undoubtedly, at that time, one of the greateſt geniuſes in Europe. A few trivial indiſcretions and indecorums may be ſaid to characterize the harangue of the monarch, and mark it for his own. And, in general, ſo open and avowed a declaration in favour of a meaſure, while he had taken no care, by any precaution or intrigue, to enſure ſucceſs, may fairly be pronounced an indiſcretion. But the art of managing parliaments, by private intereſt or cabal, being found hitherto of little uſe or neceſſity, had not, as yet, become a part of Engliſh politics. In the common courſe of affairs, government could be conducted without their aſſiſtance; and when their concurrence became neceſſary to the meaſures of the crown, it was, generally ſpeaking, except in times of great faction and diſcontent, obtained without much difficulty.

The king's influence ſeems to have rendered the Scottiſh parliament cordial in all the ſteps which they took towards the union. Though the advantages which Scotland might hope from that meaſure were more conſiderable; yet were the objections too, with regard to that kingdom, more ſtriking and obvious. The benefit which muſt have reſulted to England, both by acceſſion of ſtrength and ſecurity, was not deſpicable; and as the Engliſh were by far the greater nation, and poſſeſſed the ſeat of government, the objections, either from the point of honour or from jealouſy, could not reaſonably have any place among them. The Engliſh parliament indeed ſeem to have been ſwayed merely by the vulgar motive of national antipathy. And they perſiſted ſo obſtinately in their prejudices, that all the efforts for a thorough union and incorporation ended only in the abolition

of the hoſtile laws formerly enacted between the kingdoms *.

Some precipitate ſteps which the king, a little after his acceſſion, had taken, in order to promote his favourite project, had been here obſerved to do more injury than ſervice. From his own authority, he had aſſumed the title of king of Great Britain; and had quartered the arms of Scotland, with thoſe of England, in all coins, flags, and enſigns. He had alſo engaged the judges to make a declaration, that all thoſe who, after the union of the crowns, ſhould be born in either kingdom, were, for that reaſon alone, naturalized in both. This was a nice queſtion, and, according to the ideas of thoſe times, ſuſceptible of ſubtile reaſoning on both ſides. The king was the ſame: The parliaments were different. To render the people therefore the ſame, we muſt ſuppoſe that the ſovereign authority reſided chiefly in the prince, and that theſe popular aſſemblies were rather inſtituted to aſſiſt with money and advice, than endowed with any controlling or active powers in the government. *It is evident*, ſays Bacon in his pleadings on this ſubject, *that all other commonwealths, monarchies only excepted, do ſubſiſt by a law precedent. For where authority is divided amongſt many officers, and they not perpetual, but annual or temporary, and not to receive their authority but by election, and certain perſons to have voices only in that election, and the like; theſe are buſy and curious frames, which of neceſſity do preſuppoſe a law precedent, written or unwritten, to guide and direct them: But in monarchies, eſpecially hereditary, that is, when ſeveral families or lineages of people do ſubmit themſelves to one line, imperial or royal; the ſubmiſſion is more natural and ſimple; which*

* The commons were even ſo averſe to the union, that they had complained in the former ſeſſion to the lords, of the biſhop of Briſtol, for writing a book in favour of it; and the prelate was obliged to make ſubmiſſions for this offence. The crime imputed to him ſeems to have conſiſted in his treating of a ſubject which lay before the parliament. So little notion had they as yet of general liberty!

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afterwards, by law ſubſequent, is perfected, and made more formal: But that is grounded upon nature. It would ſeem, from this reaſoning, that the idea of a *hereditary, limited* monarchy, though implicitly ſuppoſed in many public tranſactions, had ſcarcely ever, as yet, been expreſly formed by any Engliſh lawyer or politician.

Except the obſtinacy of the parliament with regard to the union, and an attempt on the king's eccleſiaſtical juriſdiction, moſt of their meaſures, during this ſeſſion, were ſufficiently reſpectful and obliging; though they ſtill diſcover a vigilant ſpirit, and a careful attention towards national liberty. The votes alſo of the commons ſhow, that the houſe contained a mixture of puritans, who had acquired great authority among them, and who, together with religious prejudices, were continually ſuggeſting ideas more ſuitable to a popular than a monarchical form of government. The natural appetite for rule made the commons lend a willing ear to every doctrine which tended to augment their own power and influence.

(1607.) A petition was moved in the lower houſe for a more rigorous execution of the laws againſt popiſh recuſants, and an abatement towards proteſtant clergymen, who ſcrupled to obſerve the ceremonies. Both theſe points were equally unacceptable to the king; and he ſent orders to the houſe to proceed no farther in that matter. The commons were inclined, at firſt, to conſider theſe orders as a breach of privilege: But they ſoon acquieſced, when told that this meaſure of the king's was ſupported by many precedents during the reign of Elizabeth. Had they been always diſpoſed to make the precedents of that reign the rule of their conduct, they needed never have had any quarrel with any of their monarchs.

The complaints of Spaniſh depredations were very loud among the Engliſh merchants. The lower houſe ſent a meſſage to the lords (5th June), deſiring a conference with them, in order to their preſenting a joint petition to the king on the ſubject. The lords took ſome time to deliberate on this meſſage; becauſe, they ſaid, the

the matter was *weighty* and *rare*. It probably occurred to them at firſt, that the parliament's interpoſing in affairs of ſtate would appear unuſual and extraordinary. And, to ſhow that in this ſentiment they were not guided by court influence; after they had deliberated, they agreed to the conference.

The houſe of commons began now to feel themſelves of ſuch importance, that on the motion of ſir Edwin Sandys, a member of great authority, they entered, for the firſt time, an order for the regular keeping of their journals. When all buſineſs was finiſhed, the king prorogued the parliament.

About this time there was an inſurrection of the country people in Northamptonſhire, headed by one Reynolds, a man of low condition. They went about deſtroying incloſures; but carefully avoided committing any other outrage. (4th July.) This inſurrection was eaſily ſuppreſſed, and though great lenity was uſed towards the rioters, yet were ſome of the ringleaders puniſhed. The chief cauſe of that trivial commotion ſeems to have been, of itſelf, far from trivial. The practice ſtill continued in England, of diſuſing tillage, and throwing the land into incloſures for the ſake of paſture. By this means the kingdom was depopulated, at leaſt prevented from increaſing ſo much in people as might have been expected from the daily increaſe of induſtry and commerce.

(1608.) Next year preſents us with nothing memorable: But in the ſpring of the ſubſequent (1609), after a long negotiation, was concluded, by a truce of twelve years, that war, which for near half a century had been carried on with ſuch fury between Spain and the States of the United Provinces. Never conteſt ſeemed, at firſt, more unequal: Never conteſt was finiſhed with more honour to the weaker party. On the ſide of Spain were numbers, riches, authority, diſcipline: On the ſide of the revolted provinces were found the attachment to liberty and the enthuſiaſm of religion. By her naval enterpriſes the republic maintained her armies; and joining peaceful induſtry to military valour, ſhe was enabled,

enabled, by her own force, to ſupport herſelf, and gradually rely leſs on thoſe neighbouring princes, who, from jealouſy to Spain, were at firſt prompted to encourage her revolt. Long had the pride of that monarchy prevailed over her intereſt, and prevented her from hearkening to any terms of accommodation with her rebellious ſubjects. But finding all intercourſe cut off between her provinces by the maritime force of the States, ſhe at laſt agreed to treat with them as a free people, and ſolemnly to renounce all claim and pretenſion to their ſovereignty.

This chief point being gained, the treaty was eaſily brought to a concluſion (March 30), under the joint mediation and guarantee of France and England. All exterior appearances of honour were paid equally to both crowns: But very different were the ſentiments which the States, as well as all Europe, entertained of the princes who wore them. Frugality and vigour, the chief circumſtances which procure regard among foreign nations, ſhone out as conſpicuouſly in Henry as they were deficient in James. To a contempt of the Engliſh monarch, Henry ſeems to have added a conſiderable degree of jealouſy and averſion, which were ſentiments altogether without foundation. James was juſt and fair in all tranſactions with his allies *, but it appears from the memoirs of thoſe times, that each ſide deemed him partial towards their adverſary, and fancied that he had entered into ſecret meaſures againſt them. So little equity have men in their judgments of their own affairs;

* The plan of accommodation which James recommended is found in Winwood, vol. ii. p. 429, 430.; and is the ſame that was recommended by Henry, as we learn from Jeanin, tom. iii. p. 416, 417. It had long been imagined by hiſtorians, from Jeanin's authority, that James had declared to the court of Spain, that he would not ſupport the Dutch in their pretenſions to liberty and independence. But it has ſince been diſcovered by Winwood's Memorials, vol. ii. p. 456. 466. 469. 475, 476. that that report was founded on a lie of preſident Richardot's.

and

and ſo dangerous is that entire neutrality affected by the king of England!

(1610.) The little concern which James took in foreign affairs, renders the domeſtic occurrences, particularly thoſe of parliament, the moſt intereſting of his reign. A new ſeſſion was held this ſpring (Feb. 9); the king full of hopes of receiving ſupply; the commons of circumſcribing his prerogative. The earl of Saliſbury, now created treaſurer on the death of the earl of Dorſet, laid open the king's neceſſities, firſt to the peers, then to a committee of the lower houſe. He inſiſted on the unavoidable expenſe incurred, in ſupporting the navy, and in ſuppreſſing a late inſurrection in Ireland: He mentioned three numerous courts which the king was obliged to maintain, for himſelf, for the queen, and for the prince of Wales: He obſerved, that queen Elizabeth, though a ſingle woman, had received very large ſupplies in the years preceding her death, which alone were expenſive to her: And he remarked, that, during her reign, ſhe had alienated many of the crown-lands; an expedient which, though it ſupplied her preſent neceſſities, without laying burdens on her people, extremely multiplied the neceſſities of her ſucceſſor. From all theſe cauſes he thought it nowiſe ſtrange, that the king's income ſhould fall ſhort ſo great a ſum as eighty-one thouſand pounds of his ſtated and regular expenſe; without mentioning contingencies, which ought always to be eſteemed a fourth of the yearly charges. And as the crown was now neceſſarily burdened with a great and urgent debt of 300,000 pounds, he thence inferred the abſolute neceſſity of an immediate and large ſupply from the people. To all theſe reaſons, which James likewiſe urged in a ſpeech addreſſed to both houſes (March 21), the commons remained inexorable. But, not to ſhock the king with an abſolute refuſal, they granted him one ſubſidy and one fifteenth; which would ſcarcely amount to a hundred thouſand pounds. And James received the mortification of diſcovering, in vain, all his wants, and of begging aid of ſubjects who had no reaſonable indulgence or conſideration for him.

Among

Among the many cauſes of diſguſt and quarrel, which now daily and unavoidably multiplied between prince and parliament, this article of money is to be regarded as none of the leaſt conſiderable. After the diſcovery and conqueſt of the Weſt-Indies, gold and ſilver became every day more plentiful in England, as well as in the reſt of Europe; and the price of all commodities and proviſions roſe to a height beyond what had been known ſince the declenſion of the Roman empire. As the revenue of the crown roſe not in proportion *, the prince was inſenſibly reduced to poverty amidſt the general riches of his ſubjects, and required additional funds, in order to ſupport the ſame magnificence and force which had been maintained by former monarchs. But, while money thus flowed into England, we may obſerve, that, at the ſame time, and probably from that very cauſe, arts and induſtry of all kinds received a mighty increaſe; and elegance in every enjoyment of life became better known, and more cultivated among all ranks of people. The king's ſervants, both civil and military, his courtiers, his miniſters, demanded more ample ſupplies from the impoveriſhed prince, and were not contented with the ſame ſimplicity of living, which had ſatisfied their anceſtors. The prince himſelf began to regard an increaſe of pomp and ſplendour as requiſite to ſupport the dignity of his character, and to preſerve the ſame ſuperiority above his ſubjects, which his predeceſſors had enjoyed. Some equality too, and proportion to the other ſovereigns of Europe, it was natural for him to deſire; and as they had univerſally enlarged their revenue, and multiplied their taxes, the king of England deemed it reaſonable, that his ſubjects, who were generally as rich as theirs, ſhould bear with patience ſome additional burdens and impoſitions.

* Beſides the great alienation of the crown-lands, the fee-farm rents never increaſed, and the other lands were let on long leaſes, and at a great under-value, little or nothing above the old rent.

Unhap-

Unhappily for the king, thoſe very riches, with the increaſing knowledge of the age, bred oppoſite ſentiments in his ſubjects; and begetting a ſpirit of freedom and independence, diſpoſed them to pay little regard either to the entreaties or menaces of their ſovereign. While the barons poſſeſſed their former immenſe property and extenſive juriſdictions, they were apt, at every diſguſt, to endanger the monarch, and throw the whole government into confuſion: But this confuſion often, in its turn, proved favourable to the monarch, and made the nation again ſubmit to him, in order to re-eſtabliſh juſtice and tranquillity. After the power of alienations, as well as the increaſe of commerce, had thrown the balance of property into the hands of the commons, the ſituation of affairs, and the diſpoſitions of men, became ſuſceptible of a more regular plan of liberty; and the laws were not ſupported ſingly by the authority of the ſovereign. And though in that interval, after the decline of the peers, and before the people had yet experienced their force, the princes aſſumed an exorbitant power, and had almoſt annihilated the conſtitution under the weight of their prerogative; as ſoon as the commons recovered from their lethargy, they ſeem to have been aſtoniſhed at the danger, and were reſolved to ſecure liberty by firmer barriers than their anceſtors had hitherto provided for it.

Had James poſſeſſed a very rigid frugality, he might have warded off this criſis ſomewhat longer; and waiting patiently for a favourable opportunity to increaſe and fix his revenue, might have ſecured the extenſive authority tranſmitted to him. On the other hand, had the commons been inclined to act with more generoſity and kindneſs towards their prince, they might probably have turned his neceſſities to good account, and have bribed him to depart peaceably from the more dangerous articles of his prerogative. But he was a foreigner, and ignorant of the arts of popularity; they were ſoured by religious prejudices, and tenacious of their money: And, in this ſituation, it is no wonder, that, during this

this whole reign, we ſcarcely find an interval of mutual confidence and friendſhip between prince and parliament.

The king, by his prerogative alone, had ſome years before altered the rates of the cuſtoms, and had eſtabliſhed higher impoſitions on ſeveral kinds of merchandiſe. This exerciſe of power will naturally, to us, appear arbitrary and illegal; yet, according to the principles and practices of that time, it might admit of ſome apology. The duties of tonnage and poundage were at firſt granted to the crown, by a vote of parliament, and for a limited time; and as the grant frequently expired and was renewed, there could not then ariſe any doubt concerning the origin of the king's right to levy theſe duties; and this impoſition, like all others, was plainly derived from the voluntary conſent of the people. But as Henry V. and all the ſucceeding ſovereigns had the revenue conferred on them for life, the prince, ſo long in poſſeſſion of theſe duties, began gradually to conſider them as his own proper right and inheritance, and regarded the vote of parliament as a mere formality, which rather expreſſed the acquieſcence of the people in his prerogative, than beſtowed any new gift or revenue upon him.

The parliament, when it firſt granted poundage to the crown, had fixed no particular rates: The impoſition was given as a ſhilling a pound, or five *per cent.* on all commodities: It was left to the king himſelf, and the privy-council, aided by the advice of ſuch merchants as they ſhould think proper to conſult, to fix the value of goods, and thereby the rates of the cuſtoms; and as that value had been ſettled before the diſcovery of the Weſt-Indies, it was become much inferior to the prices which almoſt all commodities bore in every market in Europe; and conſequently the cuſtoms on many goods, though ſuppoſed to be five *per cent.* was in reality much inferior. The king, therefore, was naturally led to think that rates which were now plainly falſe, ought to be corrected; that a valuation of commodities, fixed by one act of the privy-council, might be amended by

another; that if his right to poundage were inherent in the crown, he ſhould alſo poſſeſs, of himſelf, the right of correcting its inequalities; if this duty were granted by the people, he ſhould at leaſt ſupport the ſpirit of the law, by fixing a new and a juſter valuation of all commodities. But beſides this reaſoning, which ſeems plauſible, if not ſolid, the king was ſupported in that act of power by direct precedents, ſome in the reign of Mary, ſome in the beginning of Elizabeth. Both theſe princeſſes had, without conſent of parliament, altered the rates of commodities; and as their impoſitions had, all along, been ſubmitted to without a murmur, and ſtill continued to be levied, the king had no reaſon to apprehend that a farther exertion of the ſame authority would give any occaſion of complaint. That leſs umbrage might be taken, he was moderate in the new rates which he eſtabliſhed: The cuſtoms, during his whole reign, roſe only from 127,000 pounds a year to 190,000; though, beſides the increaſe of the rates, there was a ſenſible increaſe of commerce and induſtry during that period: Every commodity, beſides, which might ſerve to the ſubſiſtence of the people, or might be conſidered as a material of manufactures, was exempted from the new impoſitions of James: But all this caution could not prevent the complaints of the commons. A ſpirit of liberty had now taken poſſeſſion of the houſe: The leading members, men of an independent genius, and large views, began to regulate their opinions, more by the future conſequences which they foreſaw, than by the former precedents which were ſet before them; and they leſs aſpired at maintaining the ancient conſtitution, than at eſtabliſhing a new one, and a freer, and a better. In their remonſtrances to the king on this occaſion, they obſerved it to be a general opinion, *That the reaſons of that practice might be extended much farther, even to the utter ruin of the ancient liberty of the kingdom, and the ſubjects' right of property in their lands and goods.* Though expreſly forbidden by the king to touch his prerogative, they paſſed a bill aboliſhing theſe impoſitions; which was rejected by the houſe of lords.

In

In another addreſs to the king, they objected to the practice of borrowing upon privy ſeals, and deſired, that the ſubjects ſhould not be forced to lend money to his majeſty, nor give a reaſon for their refuſal. Some murmurs likewiſe were thrown out in the houſe againſt a new monopoly of the licence of wines. It muſt be confeſſed, that forced loans and monopolies were eſtabliſhed on many and ancient as well as recent precedents; though diametrically oppoſite to all the principles of a free government *.

The houſe likewiſe diſcovered ſome diſcontent againſt the king's proclamations. James told them, *That though he well knew, by the conſtitution and policy of the kingdom, that proclamations were not of equal force with laws; yet he thought it a duty incumbent on him, and a power inſeparably annexed to the crown, to reſtrain and prevent ſuch miſchiefs and inconveniencies as he ſaw growing on the ſtate, againſt which no certain law was extant, and which might tend to the great detriment of the ſubject, if there ſhould be no remedy provided till the meeting of a parliament. And this prerogative,* he adds, *our progenitors have, in all times, uſed and enjoyed.* The intervals between ſeſſions, we may obſerve, were frequently ſo long, as to render it neceſſary for a prince to interpoſe by his prerogative. The legality of this exertion was eſtabliſhed by uniform and undiſputed practice; and was even acknowledged by lawyers, who made, however, this difference between laws and proclamations, that the authority of the former was perpetual, that of the latter expired with the ſovereign who emitted them. But what the authority could be, which bound the ſubject, yet was different from the authority of laws, and inferior to it, ſeems inexplicable by any maxims of reaſon or politics: And in this inſtance, as in many others, it is eaſy to ſee how inaccurate the Engliſh conſtitution was, before the parliament was enabled, by continued acquiſitions or encroachments, to eſtabliſh it on fixed principles of liberty.

* See note [O] at the end of the volume.

Upon the ſettlement of the reformation, that extenſive branch of power, which regards eccleſiaſtical matters, being then without an owner, ſeemed to belong to the firſt occupant; and Henry VIII. failed not immediately to ſeize it, and to exert it even to the utmoſt degree of tyranny. The poſſeſſion of it was continued with Edward; and recovered by Elizabeth; and that ambitious princeſs was ſo remarkably jealous of this flower of her crown, that ſhe ſeverely reprimanded the parliament, if they ever preſumed to intermeddle in theſe matters; and they were ſo overawed by her authority, as to ſubmit, and to aſk pardon on theſe occaſions. But James's parliaments were much leſs obſequious. They ventured to lift up their eyes, and to conſider this prerogative. They there ſaw a large province of government, poſſeſſed by the king alone, and ſcarcely ever communicated with the parliament. They were ſenſible that this province admitted not of any exact boundary or circumſcription. They had felt that the Roman pontiff, in former ages, under pretence of religion, was gradually making advances to uſurp the whole civil power. They dreaded ſtill more dangerous conſequences from the claims of their own ſovereign, who reſided among them, and who, in many other reſpects, poſſeſſed ſuch unlimited authority. They therefore deemed it abſolutely neceſſary to circumſcribe this branch of prerogative; and accordingly, in the preceding ſeſſion, they paſſed a bill againſt the eſtabliſhment of any eccleſiaſtical canons without conſent of parliament. But the houſe of lords, as is uſual, defended the barriers of the throne, and rejected the bill.

In this ſeſſion, the commons, after paſſing anew the ſame bill, made remonſtrances againſt the proceedings of the *high commiſſion court*. It required no great penetration to ſee the extreme danger to liberty, ariſing in a regal government, from ſuch large diſcretionary powers as were exerciſed by that court. But James refuſed compliance with the application of the commons. He was probably ſenſible that, beſides the diminution of his authority, many inconveniencies muſt neceſſarily reſult from the aboliſhing of all diſcretionary power in every magiſ-

magiſtrate; and that the laws, were they ever ſo carefully framed and digeſted, could not poſſibly provide againſt every contingency; much leſs, where they had not, as yet, attained a ſufficient degree of accuracy and refinement.

But the buſineſs which chiefly occupied the commons during this ſeſſion, was the abolition of wardſhips and purveyance; prerogatives which had been more or leſs touched on, every ſeſſion, during the whole reign of James. In this affair, the commons employed the proper means, which might entitle them to ſucceſs: They offered the king a ſettled revenue as an equivalent for the powers which he ſhould part with; and the king was willing to hearken to terms. After much diſpute, he agreed to give up theſe prerogatives for 200,000 pounds a-year, which they agreed to confer upon him*. And nothing remained, towards cloſing the bargain, but that the commons ſhould determine the funds by which this

* We learn from Winwood's Memorials, vol. ii. p. 193. the reaſon aſſigned for this particular ſum. "From thence "my lord treaſurer came to the price; and here he ſaid, that "the king would no more riſe and fall like a merchant. "That he would not have a flower of his crown (meaning "the court of wards) ſo much toſſed; that it was too dainty "to be ſo handled: And then he ſaid, that he muſt deliver "the very countenance and character of the king's mind "out of his own hand-writing: Which before he read, he "ſaid he would acquaint us with a pleaſant conceit of his "majeſty. As concerning the number of nineſcore thouſand "pounds, which was our number, he could not affect, "becauſe nine was the number of the poets, who were "always beggars, though they ſerved ſo many muſes; and "eleven was the number of the apoſtles, when the traitor, "Judas, was away; and therefore might beſt be affected by "his majeſty: But there was a mean number, which might "accord us both; and *that was ten:* Which, ſays my lord "treaſurer, is a ſacred number; for ſo many were God's "commandments, which tend to virtue and edification." If the commons really voted twenty thouſands pounds a year more, on account of this *pleaſant conceit* of the king and the treaſurer, it was certainly the beſt paid wit, for its goodneſs, that ever was in the world.

ſum ſhould be levied. This ſeſſion was too far advanced to bring ſo difficult a matter to a full concluſion; and though the parliament met again, towards the end of the year, and reſumed the queſtion, they were never able to terminate an affair, upon which they ſeemed ſo intent. The journals of that ſeſſion are loſt; and, as the hiſtorians of this reign are very negligent in relating parliamentary affairs, of whoſe importance they were not ſufficiently appriſed, we know not exactly the reaſon of this failure. It only appears, that the king was extremely diſſatisfied with the conduct of the parliament, and ſoon after diſſolved it. This was his firſt parliament, and it ſat near ſeven years.

Amidſt all theſe attacks, ſome more, ſome leſs violent, on royal prerogative, the king diſplayed, as openly as ever, all his exalted notions of monarchy and the authority of princes. Even in a ſpeech to the parliament, where he begged for ſupply, and where he ſhould naturally have uſed every art to ingratiate himſelf with that aſſembly, he expreſſed himſelf in theſe terms: "I conclude, "then, the point touching the power of kings, with "this axiom of divinity, that, as to diſpute *what God* "*may do*, is blaſphemy, but *what God wills*, that "divines may lawfully and do ordinarily diſpute and "diſcuſs; ſo it is ſedition in ſubjects to diſpute what a "king may do in the height of his power. But juſt "kings will ever be willing to declare what they will "do, if they will not incur the curſe of God. I will "not be content, that my power be diſputed upon; but "I ſhall ever be willing to make the reaſon appear of my "doings, and rule my actions according to *my* laws." Notwithſtanding the great extent of prerogative in that age, theſe expreſſions would probably give ſome offence. But we may obſerve, that, as the king's deſpotiſm was more ſpeculative than practical, ſo the independency of the commons was, at this time, the reverſe; and though ſtrongly ſupported by their preſent ſituation, as well as diſpoſition, was too new and recent to be as yet founded on ſyſtematical principles and opinions *.

* See note [P] at the end of the volume.

This

This year was distinguished by a memorable event, which gave great alarm and concern in England; the murder of the French monarch * by the poniard of the fanatical Ravaillac. With his death, the glory of the French monarchy suffered an eclipse for some years; and as that kingdom fell under an administration weak and bigotted, factious and disorderly, the Austrain greatness began anew to appear formidable to Europe. In England, the antipathy to the catholics revived a little upon this tragical event; and some of the laws, which had formerly been enacted, in order to keep these religionists in awe, began now to be executed with greater rigour and severity.

(1611.) Though James's timidity and indolence fixed him, during most of his reign, in a very prudent inattention to foreign affairs, there happened, this year, an event in Europe of such mighty consequence as to rouse him from his lethargy, and summon up all his zeal and enterprise. A professor of divinity, named Vorstius, the disciple of Arminius, was called from a German to a Dutch university; and as he differed from his Britannic majesty in some nice questions concerning the intimate essence and secret decrees of God, he was considered as a dangerous rival in scholastic fame, and was, at last, obliged to yield to the legions of that royal doctor, whose syllogisms he might have refuted or eluded. If vigour was wanting in other incidents of James's reign, here he behaved even with haughtiness and insolence; and the States were obliged, after several remonstrances, to deprive Vorstius of his chair, and to banish him their dominions. The king carried no farther his animosity against that professor; though he had very charitably hinted to the States, *That, as to the burning of Vorstius for his blasphemies and atheism, he left them to their own Christian wisdom; but surely never heretic better deserved the flames.* It is to be remarked, that, at this period, all over Europe, except in Holland alone, the practice of burning heretics still prevailed, even in protestant

* 3d May.

countries;

countries; and instances were not wanting in England during the reign of James.

To consider James in a more advantageous light, we must take a view of him as the legislator of Ireland; and most of the institutions, which he had framed for civilizing that kingdom, being finished about this period, it may not here be improper to give some account of them. He frequently boasts of the management of Ireland as his master-piece; and it will appear, upon inquiry, that his vanity, in this particular, was not altogether without foundation.

(1612.) After the subjection of Ireland by Elizabeth, the more difficult task still remained; to civilize the inhabitants, to reconcile them to laws and industry, and to render their subjection durable and useful to the crown of England. James proceeded in this work by a steady, regular, and well-concerted plan; and in the space of nine years, according to sir John Davis, he made greater advances towards the reformation of that kingdom, than had been made in the four hundred and forty years which had elapsed since the conquest was first attempted.

It was previously necessary to abolish the Irish customs, which supplied the place of laws, and which were calculated to keep that people for ever in a state of barbarism and disorder.

By the *Brehon* law or custom, every crime, however enormous, was punished, not with death, but by a fine or pecuniary mulct, which was levied upon the criminal. Murder itself, as among all the ancient barbarous nations, was atoned for in this manner; and each man, according to his rank, had a different rate or value affixed to him, which if any one were willing to pay, he needed not fear assassinating his enemy. This rate was called his *eric*. When sir William Fitzwilliams, being lord deputy, told Maguire, that he was to send a sheriff into Fermannah, which, a little before, had been made a county, and subjected to the English law; *Your sheriff*, said Maguire, *shall be welcome to me: But let me know, beforehand, his* eric, *or the price of his head, that, if my people*

people cut it off, I may levy the money upon the county. As for oppreſſion, extortion, and other treſpaſſes, ſo little were they regarded, that no penalty was affixed to them, and no redreſs for ſuch offences could ever be obtained.

The cuſtoms of *Gavelkinde* and *Taniſtry* were attended with the ſame abſurdity in the diſtribution of property. The land, by the cuſtom of Gavelkinde, was divided among all the males of the ſept or family, both baſtard and legitimate: And, after partition made, if any of the ſept died, his portion was not ſhared out among his ſons; but the chieftain, at his diſcretion, made a new partition of all the lands belonging to that ſept, and gave every one his ſhare. As no man, by reaſon of this cuſtom, enjoyed the fixed property of any land; to build, to plant, to encloſe, to cultivate, to improve, would have been ſo much loſt labour.

The chieftains and the taniſts, though drawn from the principal families, were not hereditary, but were eſtabliſhed by election, or, more properly ſpeaking, by force and violence. Their authority was almoſt abſolute; and, notwithſtanding that certain lands were aſſigned to the office, its chief profit reſulted from exactions, dues, aſſeſſments, for which there was no fixed law, and which were levied at pleaſure. Hence aroſe that common bye-word among the Iriſh, *That they dwelt weſtward of the law, which dwelt beyond the river of the Barrow:* Meaning the country where the Engliſh inhabited, and which extended not beyond the compaſs of twenty miles, lying in the neighbourhood of Dublin.

After aboliſhing theſe Iriſh cuſtoms, and ſubſtituting Engliſh law in their place; James having taken all the natives under his protection, and declared them free citizens, proceeded to govern them by a regular adminiſtration, military as well as civil.

A ſmall army was maintained, its diſcipline inſpected, and its pay tranſmitted from England, in order to keep the ſoldiers from preying upon the country, as had been uſual in former reigns. When Odoghartie raiſed an inſurrection, a reinforcement was ſent over, and the flames of that rebellion were immediately extinguiſhed.

All minds being firſt quieted by a general indemnity; circuits were eſtabliſhed, juſtice adminiſtered, oppreſſion baniſhed,

baniſhed, and crimes and diſorders of every kind ſeverely puniſhed. As the Iriſh had been univerſally engaged in the rebellion againſt Elizabeth, a reſignation of all the rights, which had been formerly granted them to ſeparate juriſdictions, was rigorouſly exacted; and no authority, but that of the king and the law, was permitted throughout the kingdom.

A reſignation of all private eſtates was even required; and when they were reſtored, the proprietors received them under ſuch conditions as might prevent, for the future, all tyranny and oppreſſion over the common people. The value of the dues, which the nobles uſually claimed from their vaſſals, was eſtimated at a fixed ſum, and all farther arbitrary exactions prohibited under ſevere penalties.

The whole province of Ulſter having fallen to the crown by the attainder of rebels, a company was eſtabliſhed in London, for planting new colonies in that fertile country: The property was divided into moderate ſhares, the largeſt not exceeding two thouſand acres: Tenants were brought over from England and Scotland: The Iriſh were removed from the hills and faſtneſſes, and ſettled in the open country: Huſbandry and the arts were taught them: A fixed habitation ſecured: Plunder and robbery puniſhed: And, by theſe means, Ulſter, from being the moſt wild and diſorderly province of all Ireland, ſoon became the beſt cultivated and moſt civilized.

Such were the arts, by which James introduced humanity and juſtice among a people, who had ever been buried in the moſt profound barbariſm. Noble cares! much ſuperior to the vain and criminal glory of conqueſts; but requiring ages of perſeverance and attention to perfect what had been ſo happily begun.

A laudable act of juſtice was, about this time, executed in England upon lord Sanquhir, a Scottiſh nobleman, who had been guilty of the baſe aſſaſſination of Turner, a fencing-maſter. The Engliſh nation, who were generally diſſatisfied with the Scots, were enraged at this crime, equally mean and atrocious; but James appeaſed them, by preferring the ſeverity of law to the interceſſion of the friends and family of the criminal.

CHAP. XLVII.

Death of prince Henry—Marriage of the princeſs Elizabeth with the Palatine—Riſe of Somerſet—His marriage—Overbury poiſoned—Fall of Somerſet—Riſe of Buckingham—Cautionary towns delivered—Affairs of Scotland.

THIS year * the ſudden death of Henry prince of Wales, diffuſed an univerſal grief throughout the nation. Though youth and royal birth, both of them ſtrong allurements, prepoſſeſs men mightily in favour of the early age of princes; it is with peculiar fondneſs that hiſtorians mention Henry: And, in every reſpect, his merit ſeems to have been extraordinary. He had not reached his eighteenth year, and he already poſſeſſed more dignity in his behaviour, and commanded more reſpect, than his father, with all his age, learning, and experience. Neither his high fortune, nor his youth, had ſeduced him into any irregular pleaſures: Buſineſs and ambition ſeem to have been his ſole paſſion. His inclinations, as well as exerciſes, were martial. The French ambaſſador taking leave of him, and aſking his commands for France, found him employed in the exerciſe of the pike; *Tell your king*, ſaid he, *in what occupation you left me engaged.* He had conceived great affection and eſteem for the brave ſir Walter Raleigh. It was his ſaying, *Sure no king but my father would keep ſuch a bird in a cage* †. He ſeems indeed to have nouriſhed too violent a contempt for the king on account of his pedantry and puſillanimity; and by that means ſtruck in with the reſtleſs and martial ſpirit of the Engliſh nation. Had he lived, he had probably promoted the glory, perhaps not the felicity, of his people. The unhappy pre-

* 6th November.

† The French monarch had given particular orders to his miniſters to cultivate the prince's friendſhip; who muſt ſoon, ſaid he, have chief authority in England, where the king and queen are held in ſo little eſtimation.

poſſeſ-

poſſeſſion, which men commonly entertain in favour of ambition, courage, enterpriſe, and other warlike virtues, engages generous natures, who always love fame, into ſuch purſuits as deſtroy their own peace, and that of the reſt of mankind.

Violent reports were propagated, as if Henry had been carried off by poiſon; but the phyſicians, on opening his body, found no ſymptoms to confirm ſuch an opinion. The bold and criminal malignity of men's tongues and pens ſpared not even the king on the occaſion. But that prince's character ſeems rather to have failed in the extreme of facility and humanity, than in that of cruelty and violence. His indulgence to Henry was great, and perhaps imprudent, by giving him a large and independent ſettlement, even in ſo early youth.

(1613.) The marriage of the princeſs Elizabeth, with Frederic elector palatine, was finiſhed ſome time after the death of the prince, and ſerved to diſſipate the grief which aroſe on that melancholy event. But this marriage, though celebrated with great joy and feſtivity *, proved, itſelf, an unhappy event to the king, as well as to his ſon-in-law, and had ill conſequences on the reputation and fortunes of both. The elector, truſting to ſo great an alliance, engaged in enterpriſes beyond his ſtrength: And the king, not being able to ſupport him in his diſtreſs, loſt entirely, in the end of his life, what remained of the affections and eſteem of his own ſubjects.

Except during ſeſſions of parliament, the hiſtory of this reign may more properly be called the hiſtory of the court than that of the nation. An intereſting object had, for ſome years, engaged the attention of the court: It was a favourite, and one beloved by James with ſo profuſe and unlimited an affection, as left no room for any rival or competitor. About the end of the year 1609, Robert Carre, a youth of twenty years of age, and of a good family in Scotland, arrived in London, after having paſſed ſome time in his travels. All his natural

* 14th February.

accom-

accompliſhments conſiſted in good looks: All his acquired abilities, in an eaſy air and graceful demeanour. He had letters of recommendation to his countryman lord Hay; and that nobleman no ſooner caſt his eye upon him, than he diſcovered talents ſufficient to entitle him immediately to make a great figure in the government. Apprized of the king's paſſion for youth and beauty, and exterior appearance, he ſtudied how matters might be ſo managed that this new object ſhould make the ſtrongeſt impreſſion upon him. Without mentioning him at court, he aſſigned him the office, at a match at tilting, of preſenting to the king his buckler and device; and hoped that he would attract the attention of the monarch. Fortune proved favourable to his deſign, by an incident which bore at firſt a contrary aſpect. When Carre was advancing to execute his office, his unruly horſe flung him, and broke his leg in the king's preſence. James approached him with pity and concern: Love and affection aroſe on the ſight of his beauty and tender years; and the prince ordered him immediately to be lodged in the palace, and to be carefully attended. He himſelf, after the tilting, paid him a viſit in his chamber, and frequently returned during his confinement. The ignorance and ſimplicity of the boy finiſhed the conqueſt, begun by his exterior graces and accompliſhments. Other princes have been fond of chuſing their favourites from among the lower ranks of their ſubjects, and have repoſed themſelves on them with the more unreſerved confidence and affection, becauſe the object has been beholden to their bounty for every honour and acquiſition: James was deſirous that his favourite ſhould alſo derive from him all his ſenſe, experience, and knowledge. Highly conceited of his own wiſdom, he pleaſed himſelf with the fancy, that this raw youth, by his leſſons and inſtructions, would, in a little time, be equal to his ſageſt miniſters, and be initiated into all the profound myſteries of government, on which he ſet ſo high a value. And as this kind of creation was more perfectly his own work than any other, he ſeems to have indulged an unlimited fondneſs

for his minion, beyond even that which he bore to his own children. He ſoon knighted him, created him viſcount Rocheſter, gave him the garter, brought him into the privy-council, and though at firſt without aſſigning him any particular office, beſtowed on him the ſupreme direction of all his buſineſs and political concerns. Agreeable to this rapid advancement in confidence and honour, were the riches heaped upon the needy favourite; and while Saliſbury and all the wiſeſt miniſters could ſcarcely find expedients ſufficient to keep in motion the overburdened machine of government, James, with unſparing hand, loaded with treaſures this inſignificant and uſeleſs pageant.

It is ſaid, that the king found his pupil ſo ill educated, as to be ignorant even of the loweſt rudiments of the Latin tongue; and that the monarch, laying aſide the ſceptre, took the birch into his royal hand, and inſtructed him in the principles of grammar. During the intervals of this noble occupation, affairs of ſtate would be introduced; and the ſtripling, by the aſcendant which he had acquired, was now enabled to repay in political, what he had received in grammatical, inſtruction. Such ſcenes and ſuch incidents are the more ridiculous, though the leſs odious, as the paſſion of James ſeems not to have contained in it any thing criminal or flagitious. Hiſtory charges herſelf willingly with a relation of the great crimes, and ſtill more with that of the great virtues of mankind; but ſhe appears to fall from her dignity, when neceſſitated to dwell on ſuch frivolous events and ignoble perſonages.

The favourite was not, at firſt, ſo intoxicated with advancement, as not to be ſenſible of his own ignorance and inexperience. He had recourſe to the aſſiſtance and advice of a friend; and he was more fortunate in his choice, than is uſual with ſuch pampered minions. In ſir Thomas Overbury he met with a judicious and ſincere counſellor, who, building all hopes of his own preferment on that of the young favourite, endeavoured to inſtil into him the principles of prudence and diſcretion. By zealouſly ſerving every body, Carre was taught to abate

abate the envy which might attend his ſudden elevation: By ſhowing a preference for the Engliſh, he learned to eſcape the prejudices which prevailed againſt his country. And ſo long as he was content to be ruled by Overbury's friendly counſels, he enjoyed, what is rare, the higheſt favour of the prince, without being hated by the people.

To complete the meaſure of courtly happineſs, nought was wanting but a kind miſtreſs; and, where high fortune concurred with all the graces of youth and beauty, this circumſtance could not be difficult to attain. But it was here that the favourite met with that rock on which all his fortunes were wrecked, and which plunged him for ever into an abyſs of infamy, guilt, and miſery.

No ſooner had James mounted the throne of England, than he remembered his friendſhip for the unfortunate families of Howard and Devereux, who had ſuffered for their attachment to the cauſe of Mary and to his own. Having reſtored young Eſſex to his blood and dignity, and conferred the title of Suffolk and Northampton on two brothers of the houſe of Norfolk, he ſought the farther pleaſure of uniting theſe families by the marriage of the earl of Eſſex with lady Frances Howard, daughter of the earl of Suffolk. She was only thirteen, he fourteen years of age; and it was thought proper, till both ſhould attain the age of puberty, that he ſhould go abroad and paſs ſome time in his travels. He returned into England after four years abſence, and was pleaſed to find his counteſs in the full luſtre of beauty, and poſſeſſed of the love and admiration of the whole court. But, when the earl approached, and claimed the privileges of a huſband, he met with nothing but ſymptoms of averſion and diſguſt, and a flat refuſal of any farther familiarities. He applied to her parents, who conſtrained her to attend him into the country, and to partake of his bed: But nothing could overcome her rigid ſullenneſs and obſtinacy; and ſhe ſtill roſe from his ſide, without having ſhared the nuptial pleaſures. Diſguſted with reiterated denials, he at laſt gave over the purſuit, and

ſeparating himſelf from her, thenceforth abandoned her conduct to her own will and diſcretion.

Such coldneſs and averſion in lady Eſſex, aroſe not without an attachment to another object. The favourite had opened his addreſſes, and had been too ſucceſsful in making impreſſion on the tender heart of the young counteſs. She imagined that, ſo long as ſhe refuſed the embraces of Eſſex, ſhe never could be deemed his wife, and that a ſeparation and divorce might ſtill open the way for a new marriage with her beloved Rocheſter. Though their paſſion was ſo violent, and their opportunities of intercourſe ſo frequent, that they had already indulged themſelves in all the gratifications of love, they ſtill lamented their unhappy fate, while the union between them was not entire and indiſſoluble. And the lover, as well as his miſtreſs, was impatient, till their mutual ardour ſhould be crowned by marriage.

So momentous an affair could not be concluded without conſulting Overbury, with whom Rocheſter was accuſtomed to ſhare all his ſecrets. While that faithful friend had conſidered his patron's attachment to the counteſs of Eſſex merely as an affair of gallantry, he had favoured its progreſs; and it was partly owing to the ingenious and paſſionate letters which he dictated, that Rocheſter had met with ſuch ſucceſs in his addreſſes. Like an experienced courtier, he thought that a conqueſt of this nature would throw a luſtre on the young favourite, and would tend ſtill farther to endear him to James, who was charmed to hear of the amours of his court, and liſtened with attention to every tale of gallantry. But great was Overbury's alarm, when Rocheſter mentioned his deſign of marrying the counteſs; and he uſed every method to diſſuade his friend from ſo fooliſh an attempt. He repreſented how invidious, how difficult an enterpriſe to procure her a divorce from her huſband: How dangerous, how ſhameful, to take into his own bed a profligate woman, who, being married to a young nobleman of the firſt rank, had not ſcrupled to proſtitute her character, and to beſtow favours on the object of a capricious

ous and momentary paſſion. And, in the zeal of friendſhip, he went ſo far as to threaten Rocheſter, that he would ſeparate himſelf for ever from him, if he could ſo far forget his honour and his intereſt as to proſecute the intended marriage.

Rocheſter had the weakneſs to reveal this converſation to the counteſs of Eſſex; and when her rage and fury broke out againſt Overbury, he had alſo the weakneſs to enter into her vindictive projects, and to ſwear vengeance againſt his friend, for the utmoſt inſtance, which he could receive, of his faithful friendſhip. Some contrivance was neceſſary for the execution of their purpoſe. Rocheſter addreſſed himſelf to the king; and after complaining, that his own indulgence to Overbury had begotten in him a degree of arrogance, which was extremely diſagreeable, he procured a commiſſion for his embaſſy to Ruſſia; which he repreſented as a retreat for his friend, both profitable and honourable. When conſulted by Overbury, he earneſtly diſſuaded him from accepting this offer, and took on himſelf the office of ſatisfying the king, if he ſhould be anywiſe diſpleaſed with the refuſal. To the king again he aggravated the inſolence of Overbury's conduct, and obtained a warrant for committing him to the Tower (April 21ſt), which James intended as a ſlight puniſhment for his diſobedience. The lieutenant of the Tower was a creature of Rocheſter's, and had lately been put into the office for this very purpoſe: He confined Overbury ſo ſtrictly, that the unhappy priſoner was debarred the ſight even of his neareſt relations; and no communication of any kind was allowed with him, during near ſix months which he lived in priſon.

This obſtacle being removed, the lovers purſued their purpoſe; and the king himſelf, forgetting the dignity of his character, and his friendſhip for the family of Eſſex, entered zealouſly into the project of procuring the counteſs a divorce from her huſband. Eſſex alſo embraced the opportunity of ſeparating himſelf from a bad woman, by whom he was hated; and he was willing to favour their ſucceſs by any honourable expedient. The pre-

tence for a divorce was his incapacity to fulfil the conjugal duties; and he confeſſed, that, with regard to the counteſs, he was conſcious of ſuch an infirmity, though he was not ſenſible of it with regard to any other woman. In her place too, it is ſaid a young virgin was ſubſtituted under a maſk, to undergo a legal inſpection by a jury of matrons. After ſuch a trial, ſeconded by court-influence, and ſupported by the ridiculous opinion of faſcination or witchcraft, the ſentence of divorce was pronounced between the earl of Eſſex and his counteſs. And, to crown the ſcene, the king, ſolicitous leſt the lady ſhould loſe any rank by her new marriage, beſtowed on his minion the title of earl of Somerſet.

Notwithſtanding this ſucceſs, the counteſs of Somerſet was not ſatisfied, till ſhe ſhould farther ſatiate her revenge on Overbury; and ſhe engaged her huſband, as well as her uncle, the earl of Northampton, in the atrocious deſign of taking him off ſecretly by poiſon. Fruitleſs attempts were reiterated by weak poiſons; but, at laſt (16th Sept.), they gave him one ſo ſudden and violent, that the ſymptoms were apparent to every one who approached him. His interment was hurried on with the greateſt precipitation; and, though a ſtrong ſuſpicion immediately prevailed in the public, the full proof of the crime was not brought to light till ſome years after.

The fatal cataſtrophe of Overbury increaſed or begot the ſuſpicion, that the prince of Wales had been carried off by poiſon, given him by Somerſet. Men conſidered not, that the contrary inference was much juſter. If Somerſet was ſo great a novice in this deteſtable art, that during the courſe of five months, a man who was his priſoner, and attended by none but his emiſſaries, could not be deſpatched but in ſo bungling a manner; how could it be imagined that a young prince, living in his own court, ſurrounded by his own friends and domeſtics, could be expoſed to Somerſet's attempts, and be taken off by ſo ſubtle a poiſon, if ſuch a one exiſt, as could elude the ſkill of the moſt experienced phyſicians?

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The ableſt miniſter that James ever poſſeſſed, the earl of Saliſbury, was dead *: Suffolk, a man of ſlender capacity, had ſucceeded him in his office: And it was now his taſk to ſupply, from an exhauſted treaſury, the profuſion of James and of his young favourite. The title of baronet, invented by Saliſbury, was ſold; and two hundred patents of that ſpecies of knighthood were diſpoſed of for ſo many thouſand pounds: Each rank of nobility had alſo its price affixed to it. Privy-ſeals were circulated to the amount of two hundred thouſand pounds: Benevolences were exacted to the amount of fifty-two thouſand pounds: And ſome monopolies of no great value were erected. But all theſe expedients proved inſufficient to ſupply the king's neceſſities; even though he began to enter into ſome ſchemes for retrenching his expenſes. However ſmall the hopes of ſucceſs, a new parliament muſt be ſummoned, and this dangerous expedient, for ſuch it was now become, once more be put to trial.

(1614, 5th April.) When the commons were aſſembled, they diſcovered an extraordinary alarm, on account of the rumour which was ſpread abroad concerning *undertakers*. It was reported, that ſeveral perſons, attached to the king, had entered into a confederacy; and having laid a regular plan for the new elections, had diſtributed their intereſt all over England, and had undertaken to ſecure a majority for the court. So ignorant were the commons, that they knew not this incident to be the firſt infallible ſymptom of any regular or eſtabliſhed liberty. Had they been contented to follow the maxims of their predeceſſors, who, as the earl of Saliſbury ſaid to the laſt parliament, never, but thrice in ſix hundred years, refuſed a ſupply †; they needed not dread that the crown ſhould ever

* 14th of May 1612.

† Journ. 17 Feb. 1609. It appears, however, that Saliſbury was ſomewhat miſtaken in this fact: And if the kings were not oftener refuſed ſupply by the parliament, it was only becauſe they would not often expoſe themſelves to the hazard of being refuſed: But it is certain that Engliſh parliaments

ever intereſt itſelf in their elections. Formerly, the kings even inſiſted, that none of their houſehold ſhould be elected members; and though the charter was afterwards declared void, Henry VI. from his great favour to the city of York, conferred a peculiar privilege on its citizens, that they ſhould be exempted from this trouble. It is well known, that, in ancient times, a ſeat in the houſe being conſidered as a burden, attended neither with honour nor profit, it was requiſite for the counties and boroughs to pay fees to their repreſentatives. About this time a ſeat began to be regarded as an honour, and the country-gentlemen contended for it; though the practice of levying wages for the parliament men was not altogether diſcontinued. It was not till long after, when liberty was thoroughly eſtabliſhed, and popular aſſemblies entered into every branch of public buſineſs, that the members began to join profit to honour, and the crown found it neceſſary to diſtribute among them all the conſiderable offices of the kingdom.

So little ſkill or ſo ſmall means had the courtiers, in James's reign, for managing elections, that this houſe of commons ſhowed rather a ſtronger ſpirit of liberty than the foregoing; and inſtead of entering upon the buſineſs of ſupply, as urged by the king, who made them ſeveral liberal offers of grace, they immediately reſumed the ſubject which had been opened laſt parliament, and diſputed his majeſty's power of levying new cuſtoms and impoſitions, by the mere authority of his prerogative. It is remarkable that, in their debates on this ſubject, the courtiers frequently pleaded, as a precedent, the example of all the other hereditary monarchs in Europe, and particularly mentioned the kings of France and Spain; nor was this reaſoning received by the houſe, either with ſurpriſe or indignation. The members of the oppoſite party either contented themſelves with denying the juſtneſs of the inference, or they diſputed the truth of the obſerva-

ments did anciently carry their frugality to an extreme, and ſeldom could be prevailed upon to give the neceſſary ſupport to government.

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ſion. And a patriot member in particular, ſir Roger Owen, even in arguing againſt the impoſitions, frankly allowed, that the king of England was endowed with as ample power and prerogative as any prince in Chriſtendom. The nations on the continent, we may obſerve, enjoyed ſtill, in that age, ſome ſmall remains of liberty; and the Engliſh were poſſeſſed of little more.

The commons applied to the lords for a conference with regard to the new impoſitions. A ſpeech of Neile, biſhop of Lincoln, reflecting on the lower houſe, begat ſome altercation with the peers *; and the king ſeized the opportunity of diſſolving, immediately †, with great indignation, a parliament which had ſhown ſo firm a reſolution of retrenching his prerogative, without communicating, in return, the ſmalleſt ſupply to his neceſſities. He carried his reſentment ſo far as even to throw into priſon ſome of the members, who had been the moſt forward in their oppoſition to his meaſures. In vain did he plead, in excuſe for his violence, the example of Elizabeth and other princes of the line of Tudor, as well as Plantagenet. The people and the parliament, without abandoning for ever all their liberties and privileges, could acquieſce in none of theſe precedents, how ancient and frequent ſoever. And were the authority of ſuch precedents admitted, the utmoſt that could be inferred is, that the conſtitution of England was, at that time, an inconſiſtent fabric, whoſe jarring and diſcordant parts muſt ſoon deſtroy each other, and from the diſſolution of the old, beget ſome new form of civil government more uniform and conſiſtent.

In the public and avowed conduct of the king and the houſe of commons, throughout this whole reign, there appears ſufficient cauſe of quarrel and mutual diſguſt; yet are we not to imagine, that this was the ſole foundation of that jealouſy which prevailed between them. During debates in the houſe, it often happened, that a particular member, more ardent and zealous than the reſt,

* See note [Q] at the end of the volume.
† 6th June.

would

would diſplay the higheſt ſentiments of liberty, which the commons contented themſelves to hear with ſilence and ſeeming approbation; and the king informed of theſe harangues, concluded the whole houſe to be infected with the ſame principles, and to be engaged in a combination againſt his prerogative. The king, on the other hand, though he valued himſelf extremely on his king-craft, and perhaps was not altogether incapable of diſſimulation, ſeems to have been very little endowed with the gift of ſecrecy; but openly, at his table, in all companies, inculcated thoſe monarchical tenets which he had ſo ſtrongly imbibed. Before a numerous audience, he had expreſſed himſelf with great diſparagement of the common law of England, and had given the preference, in the ſtrongeſt terms, to the civil law: And for this indiſcretion he found himſelf obliged to apologiſe, in a ſpeech to the former parliament. As a ſpecimen of his uſual liberty of talk, we may mention a ſtory, though it paſſed ſome time after, which we meet with in the life of Waller, and which that poet uſed frequently to repeat. When Waller was young, he had the curioſity to go to court; and he ſtood in the circle, and ſaw James dine; where, among other company, there ſat at table two biſhops, Neile and Andrews. The king propoſed aloud this queſtion, Whether he might not take his ſubjects money, when he needed it, without all this formality of parliament? Neile replied, *God forbid you ſhould not: For you are the breath of our noſtrils.* Andrews declined anſwering, and ſaid, he was not ſkilled in parliamentary caſes: But upon the king's urging him, and ſaying he would admit of no evaſion, the biſhop replied pleaſantly: *Why then I think your majeſty may lawfully take my brother Neile's money: For he offers it.*

(1615.) The favourite had hitherto eſcaped the inquiry of juſtice; but he had not eſcaped that ſtill voice which can make itſelf be heard amidſt all the hurry and flattery of a court, and aſtoniſhes the criminal with a juſt repreſentation of his moſt ſecret enormities. Conſcious of the murder of his friend, Somerſet received ſmall conſolation from the enjoyments of love, or the utmoſt kindneſs

neſs and indulgence of his ſovereign. The graces of his youth gradually diſappeared, the gaiety of his manners was obſcured, his politeneſs and obliging behaviour were changed into ſullenneſs and ſilence. And the king, whoſe affections had been engaged by theſe ſuperficial accompliſhments, began to eſtrange himſelf from a man who no longer contributed to his amuſement.

The ſagacious courtiers obſerved the firſt ſymptoms of this diſguſt: Somerſet's enemies ſeized the opportunity, and offered a new minion to the king. George Villiers, a youth of one-and-twenty, younger brother of a good family, returned at this time from his travels, and was remarked for the advantages of a handſome perſon, genteel air, and faſhionable apparel. At a comedy he was purpoſely placed full in James's eye, and immediately engaged the attention, and in the ſame inſtant the affections, of that monarch. Aſhamed of his ſudden attachment, the king endeavoured, but in vain, to conceal the partiality which he felt for the handſome ſtranger; and he employed all his profound politics to fix him in his ſervice, without ſeeming to deſire it. He declared his reſolution not to confer any office on him, unleſs entreated by the queen; and he pretended, that it ſhould only be in complaiſance to her choice he would agree to admit him near his perſon. The queen was immediately applied to; but ſhe, well knowing the extreme to which the king carried theſe attachments, refuſed, at firſt, to lend her countenance to this new paſſion. It was not till entreated by Abbot archbiſhop of Canterbury, a decent prelate, and one much prejudiced againſt Somerſet, that ſhe would condeſcend to oblige her huſband, by aſking this favour of him. And the king, thinking now that all appearances were fully ſaved, no longer conſtrained his affection, but immediately beſtowed the office of cupbearer on young Villiers.

The whole court was thrown into parties between the two minions; while ſome endeavoured to advance the riſing fortunes of Villiers, others deemed it ſafer to adhere

here to the eſtabliſhed credit of Somerſet. The king himſelf, divided between inclination and decorum, increaſed the doubt and ambiguity of the courtiers; and the ſtern jealouſy of the old favourite, who refuſed every advance of friendſhip from his rival, begat perpetual quarrels between their ſeveral partiſans. But the diſcovery of Somerſet's guilt in the murder of Overbury, at laſt decided the controverſy, and expoſed him to the ruin and infamy which he ſo well merited.

An apothecary's 'prentice, who had been employed in making up the poiſons, having retired to Fluſhing, began to talk very freely of the whole ſecret; and the affair at laſt came to the ears of Trumbal, the king's envoy in the Low Countries. By this means, ſir Ralph Winwood, ſecretary of ſtate, was informed, and he immediately carried the intelligence to James. The king, alarmed and aſtoniſhed to find ſuch enormous guilt in a man whom he had admitted into his boſom, ſent for ſir Edward Coke, chief juſtice, and earneſtly recommended to him the moſt rigorous and unbiaſſed ſcrutiny. This injunction was executed with great induſtry and ſeverity: The whole labyrinth of guilt was carefully unravelled: The leſſer criminals, ſir Jervis Elvis, lieutenant of the Tower, Franklin, Weſton, Mrs. Turner, were firſt tried and condemned: Somerſet and his counteſs were afterwards found guilty: Northampton's death, a little before, had ſaved him from a like fate.

It may not be unworthy of remark, that Coke, in the trial of Mrs. Turner, told her that ſhe was guilty of the ſeven deadly ſins: She was a whore, a bawd, a ſorcerer, a witch, a papiſt, a felon, and a murderer. And what may more ſurpriſe us, Bacon, then attorney-general, took care to obſerve, that poiſoning was a popiſh trick. Such were the bigotted prejudices which prevailed: Poiſoning was not, of itſelf, ſufficiently odious, if it were not repreſented as a branch of popery. Stowe tells us, that when the king came to Newcaſtle, on his firſt entry into England, he gave liberty to all the priſoners, except thoſe who were confined for treaſon, murder, and *papiſtry*.

piſtry. When one conſiders theſe circumſtances, that furious bigotry of the catholics which broke out in the gunpowder conſpiracy, appears the leſs ſurpriſing.

All the accomplices in Overbury's murder received the puniſhment due to their crime: But the king beſtowed a pardon on the principals, Somerſet and the counteſs. It muſt be confeſſed, that James's fortitude had been highly laudable, had he perſiſted in his firſt intention of conſigning over to ſevere juſtice all the criminals: But let us ſtill beware of blaming him too harſhly, if, on the approach of the fatal hour, he ſcrupled to deliver into the hands of the executioner, perſons whom he had once favoured with his moſt tender affections. To ſoften the rigour of their fate, after ſome years impriſonment, he reſtored them to their liberty, and conferred on them a penſion, with which they retired, and languiſhed out old age in infamy and obſcurity. Their guilty loves were turned into the moſt deadly hatred; and they paſſed many years together in the ſame houſe, without any intercourſe or correſpondence with each other.

Several hiſtorians, in relating theſe events, have inſiſted much on the diſſimulation of James's behaviour, when he delivered Somerſet into the hands of the chief juſtice; on the inſolent menaces of that criminal; on his peremptory refuſal to ſtand a trial; and on the extreme anxiety of the king during the whole progreſs of this affair. Allowing all theſe circumſtances to be true, of which ſome are ſuſpicious, if not palpably falſe, the great remains of tenderneſs which James ſtill felt for Somerſet, may, perhaps, be ſufficient to account for them. That favourite was high-ſpirited, and reſolute rather to periſh, than to live under the infamy to which he was expoſed. James was ſenſible that the pardoning of ſo great a criminal, which was of itſelf invidious, would become ſtill more unpopular, if his obſtinate and ſtubborn behaviour on his trial ſhould augment the public hatred againſt him. At leaſt, the unreſerved confidence in which the king had indulged his favourite for ſeveral years, might render Somerſet maſter of ſo many ſecrets, that it is impoſſible, without farther light, to aſſign the particular

reaſon of that ſuperiority, which, it is ſaid, he appeared ſo much to aſſume.

The fall of Somerſet, and his baniſhment from court, opened the way for Villiers to mount up at once to the full height of favour, of honours, and of riches. Had James's paſſion been governed by common rules of prudence, the office of cup-bearer would have attached Villiers to his perſon, and might well have contented one of his age and family; nor would any one, who was not cynically auſtere, have much cenſured the ſingularity of the king's choice in his friends and favourites. But ſuch advancement was far inferior to the fortune which he intended for his minion. In the courſe of a few years, he created him viſcount Villiers, earl, marquis, and duke of Buckingham, knight of the garter, maſter of the horſe, chief juſtice in eyre, warden of the cinque-ports, maſter of the king's-bench office, ſteward of Weſtminſter, conſtable of Windſor, and lord high admiral of England. His mother obtained the title of counteſs of Buckingham: His brother was created viſcount Purbeck; and a numerous train of needy relations were all puſhed up into credit and authority. And thus the fond prince, while he meant to play the tutor to his favourite, and to train him up in the rules of prudence and politics, took an infallible method, by loading him with premature and exorbitant honours, to render him, for ever, raſh, precipitate, and inſolent.

(1616.) A young minion to gratify with pleaſure, a neceſſitous family to ſupply with riches, were enterpriſes too great for the empty exchequer of James. In order to obtain a little money, the cautionary towns muſt be delivered up to the Dutch; a meaſure which has been ſeverely blamed by almoſt all hiſtorians; and I may venture to affirm, that it has been cenſured much beyond its real weight and importance.

When queen Elizabeth advanced money for the ſupport of the infant republic, beſides the view of ſecuring herſelf againſt the power and ambition of Spain, ſhe ſtill reſerved the proſpect of reimburſement; and ſhe got conſigned into her hands the three important fortreſſes of Fluſh-

Flushing, the Brille, and Rammekins, as pledges for the money due to her. Indulgent to the necessitous condition of the States, she agreed that the debt should bear no interest; and she stipulated, that if ever England should make a separate peace with Spain, she should pay the troops which garrisoned those fortresses.

After the truce was concluded between Spain and the United Provinces, the States made an agreement with the king, that the debt, which then amounted to 800,000 pounds, should be discharged by yearly payments of 40,000 pounds; and as five years had elapsed, the debt was now reduced to 600,000 pounds; and in fifteen years more, if the truce were renewed, it would be finally extinguished. But of this sum, 26,000 pounds a-year were expended on the pay of the garrisons: The remainder alone accrued to the king: And the States, weighing these circumstances, thought, that they made James a very advantageous offer when they expressed their willingness, on the surrender of the cautionary towns, to pay him immediately 250,000 pounds, and to incorporate the English garrisons in their army. It occurred also to the king, that even the payment of the 40,000 pounds a-year was precarious, and depended on the accident that the truce should be renewed between Spain and the republic: If war broke out, the maintenance of the garrisons lay upon England alone; a burden very useless and too heavy for the slender revenues of that kingdom: That even during the truce, the Dutch, straitened by other expenses, were far from being regular in their payments; and the garrisons were at present in danger of mutinying for want of subsistence: That the annual sum of 14,000 pounds, the whole saving on the Dutch payments, amounted, in fifteen years, to no more than 210,000 pounds; whereas 250,000 pounds were offered immediately, a larger sum, and if money be computed at ten per cent. the current interest, more than double the sum to which England was entitled: That if James waited till the whole debt were discharged, the troops, which composed the garrisons, remained a burden

upon him, and could not be broken, without receiving ſome conſideration for their paſt ſervices: That the cautionary towns were only a temporary reſtraint upon the Hollanders; and in the preſent emergence, the conjunction of intereſt between England and the republic was ſo intimate as to render all other ties ſuperfluous; and no reaſonable meaſures for mutual ſupport would be wanting from the Dutch, even though freed from the dependence of theſe garriſons: That the exchequer of the republic was at preſent very low, inſomuch that they found difficulty, now that the aids of France were withdrawn, to maintain themſelves in that poſture of defence which was requiſite during the truce with Spain: And that the Spaniards were perpetually inſiſting with the king on the reſtitution of theſe towns, as belonging to their crown; and no cordial alliance could ever be made with that nation, while they remained in the hands of the Engliſh. Theſe reaſons, together with his urgent wants, induced the king to accept of Caron's offer; and he evacuated * the cautionary towns, which held the States in a degree of ſubjection, and which an ambitious and enterpriſing prince would have regarded as his moſt valuable poſſeſſions. This is the date of the full liberty of the Dutch commonwealth.

(1617.) When the crown of England devolved on James, it might have been foreſeen by the Scottiſh nation, that the independence of their kingdom, the object for which their anceſtors had ſhed ſo much blood, would now be loſt; and that, if both ſtates perſevered in maintaining ſeparate laws and parliaments, the weaker would more ſenſibly feel the ſubjection, than if it had been totally ſubdued by force of arms. But theſe views did not generally occur. The glory of having given a ſovereign to their powerful enemy, the advantages of preſent peace and tranquillity, the riches acquired from the munificence of their maſter; theſe conſiderations ſecured their dutiful obedience to a prince, who daily gave ſuch ſenſible proofs of his friendſhip and partiality towards them.

* 6th June.

Never

Never had the authority of any king, who reſided among them, been ſo firmly eſtabliſhed as was that of James, even when abſent; and as the adminiſtration had been hitherto conducted with great order and tranquillity, there had happened no occurrence to draw thither our attention. (May.) But this ſummer, the king was reſolved to pay a viſit to his native country, in order to renew his ancient friendſhips and connexions, and to introduce that change of eccleſiaſtical diſcipline and government, on which he was extremely intent. The three chief points of this kind, which James propoſed to accompliſh by his journey to Scotland, were, the enlarging of epiſcopal authority, the eſtabliſhing of a few ceremonies in public worſhip, and the fixing of a ſuperiority in the civil above the eccleſiaſtical juriſdiction.

But it is an obſervation ſuggeſted by all hiſtory, and by none more than by that of James and his ſucceſſor, that the religious ſpirit, when it mingles with faction, contains in it ſomething ſupernatural and unaccountable; and that, in its operations upon ſociety, effects correſpond leſs to their known cauſes than is found in any other circumſtance of government. A reflection which may, at once, afford a ſource of blame againſt ſuch ſovereigns as lightly innovate in ſo dangerous an article, and of apology for ſuch, as being engaged in an enterpriſe of that nature, are diſappointed of the expected event, and fail in their undertakings.

When the Scottiſh nation was firſt ſeized with that zeal for reformation, which, though it cauſed ſuch diſturbance during the time, has proved ſo ſalutary in the conſequences; the preachers, aſſuming a character little inferior to the prophetic or apoſtolical, diſdained all ſubjection to the ſpiritual rulers of the church, by whom their innovations were puniſhed and oppoſed. The revenues of the dignified clergy, no longer conſidered as ſacred, were either appropriated by the preſent poſſeſſors, or ſeized by the more powerful barons; and what remained, after mighty dilapidations, was, by act of parliament, annexed to the crown. The prelates however, and abbots, maintained their temporal juriſdictions and

their ſeats in parliament; and though laymen were ſometimes endowed with eccleſiaſtical titles, the church, notwithſtanding its frequent proteſtations to the contrary, was ſtill ſuppoſed to be repreſented by thoſe ſpiritual lords, in the ſtates of the kingdom. After many ſtruggles the king, even before his acceſſion to the throne of England, had acquired ſufficient influence over the Scottiſh clergy, to extort from them an acknowledgment of the parliamentary juriſdiction of biſhops; though attended with many precautions, in order to ſecure themſelves againſt the ſpiritual encroachments of that order *. When king of England, he engaged them, though ſtill with great reluctance on their part, to advance a ſtep farther, and to receive the biſhops as perpetual preſidents or moderators in their eccleſiaſtical ſynods; reiterating their proteſtations againſt all ſpiritual juriſdiction of the prelates, and all controlling power over the preſbyters †. And by ſuch gradual innovations, the king flattered himſelf, that he ſhould quietly introduce epiſcopal authority: But as his final ſcope was fully ſeen from the beginning, every new advance gave freſh occaſion of diſcontent, and aggravated, inſtead of ſoftening, the abhorrence entertained againſt the prelacy.

What rendered the king's aim more apparent were, the endeavours which, at the ſame time, he uſed to introduce into Scotland ſome of the ceremonies of the church of England: The reſt, it was eaſily foreſeen, would ſoon follow. The fire of devotion, excited by novelty, and inflamed by oppoſition, had ſo poſſeſſed the minds of the Scottiſh reformers, that all rites and ornaments, and even order of worſhip, were diſdainfully rejected as uſeleſs burdens; retarding the imagination in its rapturous ecſtaſies, and cramping the operations of that divine ſpirit, by which they ſuppoſed themſelves to be animated. A mode of worſhip was eſtabliſhed, the moſt naked and moſt ſimple imaginable; one that borrowed nothing from the ſenſes; but repoſed itſelf entirely on the contemplation of that divine eſſence, which diſcovers

* 1598. † 1606.

itſelf

itſelf to the underſtanding only. This ſpecies of devotion, ſo worthy of the Supreme Being, but ſo little ſuitable to human frailty, was obſerved to occaſion great diſturbances in the breaſt, and in many reſpects to confound all rational principles of conduct and behaviour. The mind, ſtraining for theſe extraordinary raptures, reaching them by ſhort glances, ſinking again under its own weakneſs, rejecting all exterior aid of pomp and ceremony, was ſo occupied in this inward life, that it fled from every intercourſe of ſociety, and from every cheerful amuſement, which could ſoften or humaniſe the character. It was obvious to all diſcerning eyes, and had not eſcaped the king's, that, by the prevalence of fanaticiſm, a gloomy and ſullen diſpoſition eſtabliſhed itſelf among the people; a ſpirit, obſtinate and dangerous; independent and diſorderly; animated equally with a contempt of authority, and a hatred to every other mode of religion, particularly to the catholic. In order to mellow theſe humours, James endeavoured to infuſe a ſmall tincture of ceremony into the national worſhip, and to introduce ſuch rites as might, in ſome degree, occupy the mind, and pleaſe the ſenſes, without departing too far from that ſimplicity, by which the reformation was diſtinguiſhed. The finer arts too, though ſtill rude in theſe northern kingdoms, were employed to adorn the churches; and the king's chapel, in which an organ was erected, and ſome pictures and ſtatues diſplayed, was propoſed as a model to the reſt of the nation. But muſic was grating to the prejudiced ears of the Scottiſh clergy; ſculpture and painting appeared inſtruments of idolatry; the ſurplice was a rag of popery; and every motion or geſture, preſcribed by the liturgy, was a ſtep towards that ſpiritual Babylon, ſo much the object of their horror and averſion. Every thing was deemed impious, but their own myſtical comments on the Scriptures, which they idolized, and whoſe eaſtern prophetic ſtyle they employed in every common occurrence.

It will not be neceſſary to give a particular account of the ceremonies which the king was ſo intent to eſtabliſh. Such

Such inſtitutions, for a time, are eſteemed either too divine to have proceeded from any other being than the ſupreme Creator of the univerſe, or too diabolical to have been derived from any but an infernal demon. But no ſooner is the mode of the controverſy paſt, than they are univerſally diſcovered to be of ſo little importance, as ſcarcely to be mentioned with decency amidſt the ordinary courſe of human tranſactions. It ſuffices here to remark, that the rites introduced by James regarded the kneeling at the ſacrament, private communion, private baptiſm, confirmation of children, and the obſervance of Chriſtmas and other feſtivals. The acts, eſtabliſhing theſe ceremonies, were afterwards known by the name of the articles of Perth, from the place where they were ratified by the aſſembly.

A conformity of diſcipline and worſhip between the churches of England and Scotland, which was James's aim, he never could hope to eſtabliſh, but by firſt procuring an acknowledgment of his own authority in all ſpiritual cauſes; and nothing could be more contrary to the practice as well as principles of the preſbyterian clergy. The eccleſiaſtical courts poſſeſſed the power of pronouncing excommunication; and that ſentence, beſides the ſpiritual conſequences ſuppoſed to follow from it, was attended with immediate effects of the moſt important nature. The perſon excommunicated was ſhunned by every one as profane and impious; and his whole eſtate, during his life time, and all his moveables, for ever, were forfeited to the crown. Nor were the previous ſteps, requiſite before pronouncing this ſentence, formal or regular, in proportion to the weight of it. Without accuſer, without ſummons, without trial, any eccleſiaſtical court, however inferior, ſometimes pretended, in a ſummary manner, to denounce excommunication, for any cauſe, and againſt any perſon, even though he lived not within the bounds of their juriſdiction. And by this means, the whole tyranny of the inquiſition, though without its order, was introduced into the kingdom.

But

But the clergy were not content with the unlimited juriſdiction which they exerciſed in eccleſiaſtical matters: They aſſumed a cenſorial power over every part of adminiſtration; and, in all their ſermons, and even prayers, mingling politics with religion, they inculcated the moſt ſeditious and moſt turbulent principles. Black, miniſter of St. Andrews, went ſo far, in a ſermon, as to pronounce all kings the devil's children; he gave the queen of England the appellation of Atheiſt; he ſaid, that the treachery of the king's heart was now fully diſcovered; and in his prayers for the queen he uſed theſe words; *We muſt pray for her for the faſhion's ſake, but we have no cauſe: She will never do us any good.* When ſummoned before the privy council, he refuſed to anſwer to a civil court for any thing delivered from the pulpit, even though the crime of which he was accuſed, was of a civil nature. The church adopted his cauſe. They raiſed a ſedition in Edinburgh *. The king, during ſome time, was in the hands of the enraged populace; and it was not without courage, as well as dexterity, that he was able to extricate himſelf. A few days after, a miniſter, preaching in the principal church of that capital, ſaid, that the king was poſſeſſed with a devil; and, that one devil being expelled, ſeven worſe had entered in his place. To which he added, that the ſubjects might lawfully riſe, and take the ſword out of his hand. Scarcely, even during the darkeſt night of papal ſuperſtition, are there found ſuch inſtances of prieſtly encroachments, as the annals of Scotland preſent to us during that period.

By theſe extravagant ſtretches of power, and by the patient conduct of James, the church began to loſe ground, even before the king's acceſſion to the throne of England: But no ſooner had that event taken place, than he made the Scottiſh clergy ſenſible, that he was become the ſovereign of a great kingdom, which he governed with great authority. Though formerly he would have thought himſelf happy to have made a fair partition

* 17 Dec. 1596.

with

with them of the civil and eccleſiaſtical authority, he was now reſolved to exert a ſupreme juriſdiction in church as well as ſtate, and to put an end to their ſeditious practices. An aſſembly had been ſummoned at Aberdeen*: But, on account of his journey to London, he prorogued it to the year following. Some of the clergy, diſavowing his eccleſiaſtical ſupremacy, met at the time firſt appointed, notwithſtanding his prohibition. He threw them into priſon. Such of them as ſubmitted, and acknowledged their error, were pardoned. The reſt were brought to their trial. They were condemned for high treaſon. The king gave them their lives; but baniſhed them the kingdom. Six of them ſuffered this penalty.

The general aſſembly was afterwards induced † to acknowledge the king's authority in ſummoning eccleſiaſtical courts, and to ſubmit to the juriſdiction and viſitation of the biſhops. Even their favourite ſentence of excommunication was declared invalid, unleſs confirmed by the ordinary. The king recommended to the inferior courts the members whom they ſhould elect to this aſſembly; and every thing was conducted in it with little appearance of choice and liberty.

By his own prerogative likewiſe, which he ſeems to have ſtretched on this occaſion, the king erected a court of high commiſſion ‡, in imitation of that which was eſtabliſhed in England. The biſhops and a few of the clergy, who had been ſummoned, willingly acknowledged this court; and it proceeded immediately upon buſineſs, as if its authority had been grounded on the full conſent of the whole legiſlature.

(13th June.) But James reſerved the final blow for the time when he ſhould himſelf pay a viſit to Scotland. He propoſed to the parliament, which was then aſſembled, that they ſhould enact, that, "whatever his majeſty "ſhould determine in the external government of the "church, with the conſent of the archbiſhops, biſhops, "and a competent number of the miniſtry, ſhould have "the force of law." What number ſhould be deemed

* July 1604. † 6th June 1610. ‡ 15th Feb. 1610.

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competent was not determined: And their nomination was left entirely to the king: So that his eccleſiaſtical authority, had this bill paſſed, would have been eſtabliſhed in its full extent. Some of the clergy proteſted. They apprehended, they ſaid, that the purity of their church would, by means of this new authority, be polluted with all the rites and liturgy of the church of England. James, dreading clamour and oppoſition, dropped the bill, which had already paſſed the lords of articles; and aſſerted, that the inherent prorogative of the crown contained more power than was recognized by it. Some time after (20th July), he called, at St. Andrew's, a meeting of the biſhops and thirty-ſix of the moſt eminent clergy. He there declared his reſolution of exerting his prerogative, and of eſtabliſhing, by his own authority, the few ceremonies which he had recommended to them. They entreated him rather to ſummon a general aſſembly, and to gain their aſſent. An aſſembly was accordingly ſummoned to meet on the 25th of November enſuing.

Yet this aſſembly, which met after the king's departure from Scotland, eluded all his applications; and it was not till the ſubſequent year, that he was able to procure a vote for receiving his ceremonies. And through every ſtep of this affair, in the parliament as well as in all the general aſſemblies, the nation betrayed the utmoſt reluctance to all theſe innovations; and nothing but James's importunity and authority had extorted a ſeeming conſent, which was belied by the inward ſentiments of all ranks of people. Even the few, over whom religious prejudices were not prevalent, thought national honour ſacrificed by a ſervile imitation of the modes of worſhip practiſed in England. And every prudent man agreed in condemning the meaſures of the king, who, by an ill-timed zeal for inſignificant ceremonies, had betrayed, though in an oppoſite manner, equal narrowneſs of mind with the perſons whom he treated with ſuch contempt. It was judged, that, had not theſe dangerous humours been irritated by oppoſition; had they been allowed peaceably to evaporate; they would at laſt have ſubſided within the limits of law and

and civil authority. And that, as all fanatical religions naturally circumſcribe to very narrow bounds the numbers and riches of the eccleſiaſtics; no ſooner is their firſt fire ſpent, than they loſe their credit over the people, and leave them under the natural and beneficent influence of their civil and moral obligations.

At the ſame time that James ſhocked in ſo violent a manner the religious principles of his Scottiſh ſubjects, he acted in oppoſition to thoſe of his Engliſh. He had obſerved, in his progreſs through England, that a judaical obſervance of the Sunday, chiefly by means of the puritans, was every day gaining ground throughout the kingdom, and that the people, under colour of religion, were, contrary to former practice, debarred ſuch ſports and recreations as contributed both to their health and their amuſement. Feſtivals, which, in other nations and ages, are partly dedicated to public worſhip, partly to mirth and ſociety, were here totally appropriated to the offices of religion, and ſerved to nouriſh thoſe ſullen and gloomy contemplations, to which the people were, of themſelves, ſo unfortunately ſubject. The king imagined, that it would be eaſy to infuſe cheerfulneſs into this dark ſpirit of devotion. He iſſued a proclamation to allow and encourage, after divine ſervice, all kinds of lawful games and exerciſes; and, by his authority, he endeavoured to give ſanction to a practice which his ſubjects regarded as the utmoſt inſtance of profaneneſs and impiety *.

* To ſhow how rigid the Engliſh, chiefly the puritans, were become in this particular, a bill was introduced into the houſe of commons, in the 18th of the king, for the more ſtrict obſervance of the Sunday, which they affected to call the Sabbath. One Shepherd oppoſed this bill, objected to the appellation of Sabbath as puritanical, defended dancing by the example of David, and ſeems even to have juſtified ſports on that day. For this profaneneſs he was expelled the houſe, by the ſuggeſtion of Mr. Pym. The houſe of lords oppoſed ſo far this puritanical ſpirit of the commons, that they propoſed, that the appellation of *Sabbath* ſhould be changed into that of the *Lord's Day*. In Shepherd's ſentence, his offence is ſaid by the houſe to be great, exorbitant, unparalleled.

CHAP. XLVIII.

Sir Walter Raleigh's expedition—His execution—Inſurrections in Bohemia—Loſs of the Palatinate—Negotiations with Spain—A parliament—Parties—Fall of Bacon—Rupture between the king and the commons—Proteſtation of the commons.

(1618.) AT the time when ſir Walter Raleigh was firſt confined in the Tower, his violent and haughty temper had rendered him the moſt unpopular man in England; and his condemnation was chiefly owing to that public odium under which he laboured. During the thirteen years impriſonment which he ſuffered, the ſentiments of the nation were much changed with regard to him. Men had leiſure to reflect on the hardſhip, not to ſay injuſtice, of his ſentence; they pitied his active and enterpriſing ſpirit, which languiſhed in the rigours of confinement; they were ſtruck with the extenſive genius of the man, who, being educated amidſt naval and military enterpriſes, had ſurpaſſed, in the purſuits of literature, even thoſe of the moſt recluſe and ſedentary lives; and they admired his unbroken magnanimity, which, at his age, and under his circumſtances, could engage him to undertake and execute ſo great a work as his Hiſtory of the World. To increaſe theſe favourable diſpoſitions, on which he built the hopes of recovering his liberty, he ſpread the report of a golden mine, which he had diſcovered in Guiana, and which was ſufficient, according to his repreſentation, not only to enrich all the adventurers, but to afford immenſe treaſures to the nation. The king gave little credit to theſe mighty promiſes; both becauſe he believed that no ſuch mine as the one diſcribed was anywhere in nature, and becauſe he conſidered Raleigh as a man of deſperate fortunes, whoſe buſineſs it was, by any means, to procure his freedom, and to reinſtate himſelf in credit and authority. Thinking, however, that he had already undergone ſufficient puniſhment, he releaſed him from the Tower; and when his vaunts of the

golden mine had induced multitudes to engage with him, the king gave them permiſſion to try the adventure, and, at their deſire, he conferred on Raleigh authority over his fellow-adventurers. Though ſtrongly ſolicited, he ſtill refuſed to grant him a pardon, which ſeemed a natural conſequence, when he was intruſted with power and command. But James declared himſelf ſtill diffident of Raleigh's intentions; and he meant, he ſaid, to reſerve the former ſentence, as a check upon his future behaviour.

Raleigh well knew, that it was far from the king's purpoſe to invade any of the Spaniſh ſettlements: He therefore firmly denied that Spain had planted any colonies on that part of the coaſt where his mine lay. When Gondomar, the ambaſſador of that nation, alarmed at his preparations, carried complaints to the king, Raleigh ſtill proteſted the innocence of his intentions: And James aſſured Gondomar, that he durſtn ot form any hoſtile attempt, but ſhould pay with his head for ſo audacious an enterpriſe. The miniſter, however, concluding that twelve armed veſſels were not fitted out without ſome purpoſe of invaſion, conveyed the intelligence to the court of Madrid, who immediately gave orders for arming and fortifying all their ſettlements, particularly thoſe along the coaſt of Guiana.

When the courage and avarice of the Spaniards and Portugueſe had diſcovered ſo many new worlds, they were reſolved to ſhow themſelves ſuperior to the barbarous heathens whom they invaded, not only in arts and arms, but alſo in the juſtice of the quarrel: They applied to Alexander VI. who then filled the papal chair; and he generouſly beſtowed on the Spaniards the whole weſtern, and on the Portugueſe the whole eaſtern part of the globe. The more ſcrupulous proteſtants, who acknowledged not the authority of the Roman pontiff, eſtabliſhed the firſt diſcovery as the foundation of *their* title; and if a pirate or ſea-adventurer of their nation had but erected a ſtick or ſtone on the coaſt, as a memorial of his taking poſſeſſion, they concluded the whole continent to belong to them, and thought themſelves entitled to expel or exterminate, as uſurpers, the ancient poſſeſſors and inhabitants.

ants. It was in this manner that ſir Walter Raleigh, about twenty-three years before, had acquired to the crown of England a claim to the continent of Guiana, a region as large as the half of Europe; and though he had immediately left the coaſt, yet he pretended that the Engliſh title to the whole remained certain and indefeazable. But it had happened in the mean time, that the Spaniards, not knowing, or not acknowledging this imaginary claim, had taken poſſeſſion of a part of Guiana, had formed a ſettlement on the river Oronooko, had built a little town called St. Thomas, and were there working ſome mines of ſmall value.

To this place Raleigh directly bent his courſe; and, remaining himſelf at the mouth of the river with five of the largeſt ſhips, he ſent up the reſt to St. Thomas, under the command of his ſon, and of captain Keymis, a perſon entirely devoted to him. The Spaniards, who had expected this invaſion, fired on the Engliſh at their landing, were repulſed, and purſued into the town. Young Raleigh, to encourage his men, called out, *That this was the true mine, and none but fools looked for any other*; and advancing upon the Spaniards, received a ſhot, of which he immediately expired. This diſmayed not Keymis and the others. They carried on the attack; got poſſeſſion of the town, which they afterwards reduced to aſhes; and found not in it any thing of value.

Raleigh did not pretend, that he had himſelf ſeen the mine, which he had engaged ſo many people to go in queſt of: It was Keymis, he ſaid, who had formerly diſcovered it, and had brought him that lump of ore, which promiſed ſuch immenſe treaſures. Yet Keymis, who owned that he was within two hours' march of the place, refuſed, on the moſt abſurd pretences, to take any effectual ſtep towards finding it; and he returned immediately to Raleigh, with the melancholy news of his ſon's death, and the ill ſucceſs of the enterpriſe. Senſible to reproach, and dreading puniſhment for his behaviour, Keymis, in deſpair, retired into his cabin, and put an end to his own life.

The other adventurers now concluded, that they were deceived by Raleigh; that he never had known of any ſuch mine as he pretended to go in ſearch of; that his intention had ever been to plunder St. Thomas; and having encouraged his company by the ſpoils of that place, to have thence proceeded to the invaſion of the other Spaniſh ſettlements; that he expected to repair his ruined fortunes by ſuch daring enterpriſes; and that he truſted to the money he ſhould acquire, for making his peace with England; or if that view failed him, that he purpoſed to retire into ſome other country, where his riches would ſecure his retreat.

The ſmall acquiſitions gained by the ſack of St. Thomas, diſcouraged Raleigh's companions from entering into theſe views; though there were many circumſtances in the treaty and late tranſactions between the nations, which might invite them to engage in ſuch a piratical war againſt the Spaniards.

When England made peace with Spain, the example of Henry IV. was imitated, who, at the treaty of Vervins, finding a difficulty in adjuſting all queſtions with regard to the Indian trade, had agreed to paſs over that article in total ſilence. The Spaniards having, all along, publiſhed ſevere edicts againſt the intercourſe of any European nation with their colonies, interpreted this ſilence in their own favour, and conſidered it as a tacit acquieſcence of England, in the eſtabliſhed laws of Spain. The Engliſh, on the contrary, pretended that, as they had never been excluded by any treaty from commerce with any part of the king of Spain's dominions, it was ſtill as lawful for them to trade with his ſettlements in either Indies, as with his European territories. In conſequence of this ambiguity, many adventurers from England ſailed to the Spaniſh Indies, and met with ſevere puniſhment when caught; as they, on the other hand, often ſtole, and, when ſuperior in power, forced a trade with the inhabitants, and reſiſted, nay ſometimes plundered, the Spaniſh governors. Violences of this nature, which had been carried to a great height on both ſides, it was agreed to bury in total oblivion;

livion; becauſe of the difficulty which was found in remedying them, upon any fixed principles.

But as there appeared a great difference between private adventurers in ſingle ſhips, and a fleet acting under a royal commiſſion, Raleigh's companions thought it ſafeſt to return immediately to England, and carry him along with them to anſwer for his conduct. It appears that he employed many artifices, firſt to engage them to attack the Spaniſh ſettlements, and, failing of that, to make his eſcape into France: But all theſe proving unſucceſsful, he was delivered into the king's hands, and ſtrictly examined, as well as his fellow-adventurers, before the privy-council. The council, upon inquiry, found no difficulty in pronouncing, that the former ſuſpicions, with regard to Raleigh's intentions, had been well grounded; that he had abuſed the king in the repreſentations which he had made of his projected adventure; that, contrary to his inſtructions, he had acted in an offenſive and hoſtile manner againſt his majeſty's allies; and that he had wilfully burned and deſtroyed a town belonging to the king of Spain. He might have been tried, either by common law for this act of violence and piracy, or by martial law for breach of orders: But it was an eſtabliſhed principle among lawyers *, that as he lay under an actual attainder for high treaſon, he could not be brought to a new trial for any other crime. To ſatisfy, therefore, the court of Spain, which raiſed the loudeſt complaints againſt him, the king made uſe of that power which he had purpoſely reſerved in his own hands, and ſigned the warrant for his execution upon his former ſentence †.

Raleigh, finding his fate inevitable, collected all his courage: And though he had formerly made uſe of many mean artifices, ſuch as feigning madneſs, ſickneſs, and a variety of diſeaſes, in order to protract his examination and procure his eſcape, he now reſolved to

* See this matter diſcuſſed in Bacon's Letters, publiſhed by Dr. Birch, p. 181.

† See note [R] at the end of the volume.

act his part with bravery and reſolution. *'Tis a ſharp remedy*, he ſaid, *but a ſure one for all ills*, when he felt the edge of the ax by which he was to be beheaded. His harangue to the people was calm and eloquent; and he endeavoured to revenge himſelf, and to load his enemies with the public hatred, by ſtrong aſſeverations of facts, which, to ſay the leaſt, may be eſteemed very doubtful *. (29th Oct.) With the utmoſt indifference, he laid his head upon the block, and received the fatal blow. And in his death there appeared the ſame great, but ill-regulated mind, which, during his life, had diſplayed itſelf in all his conduct and behaviour.

No meaſure of James's reign was attended with more public diſſatisfaction than the puniſhment of ſir Walter Raleigh. To execute a ſentence which was originally ſo hard, which had been ſo long ſuſpended, and which ſeemed to have been tacitly pardoned, by conferring on him a new truſt and commiſſion, was deemed an inſtance of cruelty and injuſtice. To ſacrifice, to a concealed enemy of England, the life of the only man in the nation who had a high reputation for valour and military experience, was regarded as meanneſs and indiſcretion: And the intimate connexions which the king was now entering into with Spain, being univerſally diſtaſteful, rendered this proof of his complaiſance ſtill more invidious and unpopular.

James had entertained an opinion, which was peculiar to himſelf, and which had been adopted by none of his predeceſſors, that any alliance, below that of a great king, was unworthy of a prince of Wales; and he never would allow any princeſs but a daughter of France or Spain to be mentioned as a match for his ſon. This inſtance of pride, which really implies meanneſs, as if he could receive honour from any alliance, was ſo well known, that Spain had founded on it the hopes of go-

* He aſſerted in the moſt ſolemn manner, that he had nowiſe contributed to Eſſex's death: But the laſt letter in Murden's Collection contains the ſtrongeſt proof of the contrary.

verning,

verning, in the moſt important tranſactions, this monarch, ſo little celebrated for politics or prudence. During the life of Henry, the king of Spain had dropped ſome hints of beſtowing on that prince his eldeſt daughter, whom he afterwards diſpoſed of in marriage to the young king of France, Lewis XIII. At that time the views of the Spaniards were to engage James into a neutrality with regard to the ſucceſſion of Cleves, which was diſputed between the proteſtant and popiſh line: But the bait did not then take; and James, in conſequence of his alliance with the Dutch, and with Henry IV. of France, marched four thouſand men under the command of ſir Edward Cecil, who joined theſe two powers, and put the marquis of Brandenburgh and the palatine of Newbourgh in poſſeſſion of that dutchy.

Gondomar was, at this time, the Spaniſh ambaſſador in England; a man whoſe flattery was the more artful, becauſe covered with the appearance of frankneſs and ſincerity; whoſe politics were the more dangerous, becauſe diſguiſed under the maſk of mirth and pleaſantry. He now made offer of the ſecond daughter of Spain to prince Charles; and that he might render the temptation irreſiſtible to the neceſſitous monarch, he gave hopes of an immenſe fortune, which would attend the princeſs. The court of Spain, though determined to contract no alliance with a heretic, entered into negotiations with James, which they artfully protracted, and, amidſt every diſappointment, they ſtill redoubled his hopes of ſucceſs. The tranſactions in Germany, ſo important to the Auſtrian greatneſs, became every day a new motive for this duplicity of conduct.

In that great revolution of manners which happened during the ſixteenth and the ſeventeenth centuries, the only nations who had the honourable, though often melancholy advantage, of making an effort for their expiring privileges, were ſuch as, together with the principles of civil liberty, were animated with a zeal for religious parties and opinions. Beſides the irreſiſtible force of ſtanding armies, the European princes poſſeſſed this

this advantage, that they were deſcended from the ancient royal families; that they continued the ſame appellations of magiſtrates, the ſame appearance of civil government; and reſtraining themſelves by all the forms of legal adminiſtration, could inſenſibly impoſe the yoke on their unguarded ſubjects. Even the German nations, who formerly broke the Roman chains, and reſtored liberty to mankind, now loſt their own liberty, and ſaw with grief the abſolute authority of their princes firmly eſtabliſhed among them. In their circumſtances, nothing but a pious zeal, which diſregards all motives of human prudence, could have made them entertain hopes of preſerving any longer thoſe privileges which their anceſtors, through ſo many ages, had tranſmitted to them.

As the houſe of Auſtria, throughout all her extenſive dominions, had ever made religion the pretence for her uſurpations, ſhe now met with reſiſtance from a like principle; and the catholic religion, as uſual, had ranged itſelf on the ſide of monarchy; the proteſtant, on that of liberty. The ſtates of Bohemia, having taken arms againſt the emperor Matthias, continued their revolt againſt his ſucceſſor Ferdinand, and claimed the obſervance of all the edicts enacted in favour of the new religion, together with the reſtoration of their ancient laws and conſtitution. The neighbouring principalities, Sileſia, Moravia, Luſatia, Auſtria, even the kingdom of Hungary, took part in the quarrel; and throughout all theſe populous and martial provinces, the ſpirit of diſcord and civil war had univerſally diffuſed itſelf.

(1619.) Ferdinand II. who poſſeſſed more vigour and greater abilities, though not more lenity and moderation, than are uſual with the Auſtrian princes, ſtrongly armed himſelf for the recovery of his authority; and, beſides employing the aſſiſtance of his ſubjects, who profeſſed the ancient religion, he engaged on his ſide a powerful alliance of the neighbouring potentates. All the catholic princes of the empire had embraced his defence; even Saxony, the moſt powerful of the proteſtant: Poland had declared itſelf in his favour; and,

above

above all, the Spaniſh monarch, deeming his own intereſt cloſely connected with that of the younger branch of his family, prepared powerful ſuccours from Italy, and from the Low Countries; and he alſo advanced large ſums for the ſupport of Ferdinand and of the catholic religion.

The ſtates of Bohemia, alarmed at theſe mighty preparations, began alſo to ſolicit foreign aſſiſtance; and, together with that ſupport which they obtained from the evangelical union in Germany, they endeavoured to eſtabliſh connexions with greater princes. They caſt their eyes on Frederic, elector palatine. They conſidered, that beſides commanding no deſpicable force of his own, he was ſon-in-law to the king of England, and nephew to prince Maurice, whoſe authority was become almoſt abſolute in the United Provinces. They hoped that theſe princes, moved by the connexions of blood, as well as by the tie of their common religion, would intereſt themſelves in all the fortunes of Frederic, and would promote his greatneſs. They therefore made him a tender of their crown, which they conſidered as elective; and the young palatine, ſtimulated by ambition, without conſulting either James or Maurice, whoſe oppoſition he foreſaw, immediately accepted the offer, and marched all his forces into Bohemia, in ſupport of his new ſubjects.

The news of theſe events no ſooner reached England, than the whole kingdom was on fire to engage in the quarrel. Scarcely was the ardour greater, with which all the ſtates of Europe, in former ages, flew to reſcue the holy land from the dominion of infidels. The nation was, as yet, ſincerely attached to the blood of their monarchs, and they conſidered their connexion with the palatine, who had married a daughter of England, as very cloſe and intimate. And when they heard of catholics carrying on wars and perſecutions againſt proteſtants, they thought their own intereſt deeply concerned, and regarded their neutrality as a baſe deſertion of the cauſe of God, and of his holy religion. In ſuch a quarrel, they would gladly have marched to the oppoſite

oppoſite extremity of Europe, have plunged themſelves into a chaos of German politics, and have expended all the blood and treaſure of the nation, by maintaining a conteſt with the whole houſe of Auſtria, at the very time, and in the very place, in which it was the moſt potent, and almoſt irreſiſtible.

But James, beſides that his temper was too little enterpriſing for ſuch vaſt undertakings, was reſtrained by another motive, which had a mighty influence over him: He refuſed to patronize the revolt of ſubjects againſt their ſovereign. From the very firſt he denied to his ſon-in-law the title of King of Bohemia: He forbade him to be prayed for in the churches under that appellation: And though he owned that he had nowiſe examined the pretenſions, privileges, and conſtitution of the revolted ſtates, ſo exalted was his idea of the rights of kings, that he concluded ſubjects muſt ever be in the wrong, when they ſtood in oppoſition to thoſe who had acquired or aſſumed that majeſtic title. Thus, even in meaſures founded on true politics, James intermixed ſo many narrow prejudices, as diminiſhed his authority, and expoſed him to the imputation of weakneſs and error.

(1620.) Meanwhile affairs every-where haſtened to a criſis. Ferdinand levied a great force, under the command of the duke of Bavaria and the count of Bucquoy; and advanced upon his enemy in Bohemia. In the Low Countries, Spinola collected a veteran army of thirty thouſand men. When Edmonds, the king's reſident at Bruſſels, made remonſtrances to the archduke Albert, he was anſwered, that the orders for this armament had been tranſmitted to Spinola from Madrid, and that he alone knew the ſecret deſtination of it. Spinola again told the miniſter, that his orders were ſtill ſealed; but, if Edmonds would accompany him in his march to Coblentz, he would there open them, and give him full ſatisfaction. It was more eaſy to ſee his intentions, than to prevent their ſucceſs. Almoſt at one time, it was known in England that Frederic, being defeated in the great and deciſive battle of Prague, had fled with his family

family into Holland, and that Spinola had invaded the Palatinate, and, meeting with no reſiſtance, except from ſome princes of the union, and from one Engliſh regiment of 2400 men, commanded by the brave ſir Horace Vere, had, in a little time, reduced the greater part of that principality.

High were now the murmurs and complaints againſt the king's neutrality and unactive diſpoſition. The happineſs and tranquillity of their own country became diſtaſteful to the Engliſh, when they reflected on the grievances and diſtreſſes of their proteſtant brethren in Germany. They conſidered not, that their interpoſition in the wars of the continent, though agreeable to religious zeal, could not, at that time, be juſtified by any ſound maxims of politics; that, however exorbitant the Auſtrian greatneſs, the danger was ſtill too diſtant to give any juſt alarm to England; that mighty reſiſtance would yet be made by ſo many potent and warlike princes and ſtates in Germany, ere they would yield their neck to the yoke; that France, now engaged to contract a double alliance with the Auſtrian family, muſt neceſſarily be ſoon rouſed from her lethargy, and oppoſe the progreſs of ſo hated a rival; that in the farther advance of conqueſts, even the intereſts of the two branches of that ambitious family muſt interfere, and beget mutual jealouſy and oppoſition; that a land-war, carried on at ſuch a diſtance, would waſte the blood and treaſure of the Engliſh nation, without any hopes of ſucceſs; that a ſea-war, indeed, might be both ſafe and ſucceſsful againſt Spain, but would not affect the enemy in ſuch vital parts as to make them ſtop their career of ſucceſs in Germany, and abandon all their acquiſitions; and that the proſpect of recovering the Palatinate being at preſent deſperate, the affair was reduced to this ſimple queſtion, whether peace and commerce with Spain, or the uncertain hopes of plunder and of conqueſt in the Indies, were preferable? a queſtion which, at the beginning of the king's reign, had already been decided, and perhaps with reaſon, in favour of the former advantages.

James

James might have defended his pacific meaſures, by ſuch plauſible arguments: But theſe, though the chief, ſeem not to have been the ſole motives which ſwayed him. He had entertained the notion, that, as his own juſtice and moderation had ſhone out ſo conſpicuouſly throughout all theſe tranſactions, the whole houſe of Auſtria, though not awed by the power of England, would willingly, from mere reſpect to his virtue, ſubmit themſelves to ſo equitable an arbitration. He flattered himſelf that, after he had formed an intimate connexion with the Spaniſh monarch, by means of his ſon's marriage, the reſtitution of the Palatinate might be procured, from the motive alone of friendſhip and perſonal attachment. He perceived not, that his unactive virtue, the more it was extolled, the greater diſregard was it expoſed to. He was not ſenſible that the Spaniſh match was itſelf attended with ſuch difficulties, that all his art of negotiation would ſcarcely be able to ſurmount them; much leſs, that this match could in good policy be depended on, as the means of procuring ſuch extraordinary advantages. His unwarlike diſpoſition, increaſed by age, rivetted him ſtill faſter in his errors, and determined him to ſeek the reſtoration of his ſon-in-law, by remonſtrances and entreaties, by arguments and embaſſies, rather than by blood and violence. And the ſame defect of courage which held him in awe of foreign nations, made him likewiſe afraid of ſhocking the prejudices of his own ſubjects, and kept him from openly avowing the meaſures which he was determined to purſue. Or, perhaps, he hoped to turn theſe prejudices to account; and, by their means, engage his people to furniſh him with ſupplies, of which their exceſſive frugality had hitherto made them ſo ſparing and reſerved.

He firſt tried the expedient of a benevolence or free-gift from individuals; pretending the urgency of the caſe, which would not admit of leiſure for any other meaſure: But the jealouſy of liberty was now rouſed, and the nation regarded theſe pretended benevolences as real extortions, contrary to law, and dangerous to freedom, however authoriſed by ancient precedent. A

parliament was found to be the only reſource which could furniſh any large ſupplies; and writs were accordingly iſſued for ſummoning that great council of the nation *.

(1621, 16th June.) In this parliament there appeared, at firſt, nothing but duty and ſubmiſſion on the part of the commons; and they ſeemed determined to ſacrifice every thing, in order to maintain a good correſpondence with their prince. They would allow no mention to be made of the new cuſtoms or impoſitions, which had been ſo eagerly diſputed in the former parliament: The impriſonment of the members of that parliament was here, by ſome, complained of; but, by the authority of the graver and more prudent part of the houſe, that grievance was buried in oblivion: And, being informed that the king had remitted ſeveral conſiderable ſums to the palatine, the commons, without a negative, voted him two ſubſidies; and that too, at the very beginning of the ſeſſion, contrary to the maxims frequently adopted by their predeceſſors.

Afterwards, they proceeded, but in a very temperate manner, to the examination of grievances. They found, that patents had been granted to ſir Giles Mompeſſon and ſir Francis Michel, for licenſing inns and ale-houſes; that great ſums of money had been exacted, under pretext of theſe licences; and that ſuch inn-keepers as preſumed to continue their buſineſs, without ſatisfying the rapacity of the patentees, had been ſeverely puniſhed by fine, impriſonment, and vexatious proſecutions.

The ſame perſons had alſo procured a patent which they ſhared with ſir Edward Villiers, brother to Buckingham, for the ſole making of gold and ſilver thread and lace, and had obtained very extraordinary powers for preventing any rivalſhip in theſe manufactures: They were armed with authority to ſearch for all goods, which might interfere with their patent; and even to puniſh, at their own will and diſcretion, the makers, importers, and venders of ſuch commodities. Many had grievously

* See note [S] at the end of the volume.

ſuffered by this exorbitant juriſdiction; and the lace which had been manufactured by the patentees was univerſally found to be adulterated, and to be compoſed more of copper than of the precious metals.

Theſe grievances the commons repreſented to the king; and they met with a very gracious and very cordial reception. He ſeemed even thankful for the information given him; and declared himſelf aſhamed, that ſuch abuſes, unknowingly to him, had creeped into his adminiſtration. "I aſſure you," ſaid he, "had I before "heard theſe things complained of, I would have done "the office of a juſt king, and out of parliament have "puniſhed them, as ſeverely, and peradventure more, "than you now intend to do." A ſentence was paſſed for the puniſhment of Michel and Mompeſſon. It was executed on the former. The latter broke priſon and eſcaped. Villiers was, at that time, ſent purpoſely on a foreign employment; and his guilt being leſs enormous, or leſs apparent, than that of the others, he was the more eaſily protected by the credit of his brother Buckingham*.

Encouraged by this ſucceſs, the commons carried their ſcrutiny, and ſtill with a reſpectful hand, into other abuſes of importance. The great ſeal was, at that time, in the hands of the celebrated Bacon, created viſcount St. Albans; a man univerſally admired for the greatneſs of his genius, and beloved for the courteouſneſs and humanity of his behaviour. He was the great ornament of his age and nation; and nought was wanting to render him the ornament of human nature itſelf, but that ſtrength of mind which might check his intemperate

* Yelverton, the attorney-general, was accuſed by the commons for drawing the patents for theſe monopolies, and for ſupporting them. He apologiſed for himſelf, that he was forced by Buckingham, and that he ſuppoſed it to be the king's pleaſure. The lords were ſo offended at theſe articles of defence, though neceſſary to the attorney-general, that they fined him 10,000 pounds to the king, 5000 to the duke. The fines, however, were afterwards remitted.

deſire

deſire of preferment, that could add nothing to his dignity, and might reſtrain his profuſe inclination to expenſe, that could be requiſite neither for his honour nor entertainment. His want of economy, and his indulgence to ſervants, had involved him in neceſſities; and, in order to ſupply his prodigality, he had been tempted to take bribes, by the title of preſents, and that in a very open manner, from ſuitors in chancery. It appears that it had been uſual for former chancellors to take preſents; and it is pretended that Bacon, who followed the ſame dangerous practice, had ſtill, in the ſeat of juſtice, preſerved the integrity of a judge, and had given juſt decrees againſt thoſe very perſons, from whom he had received the wages of iniquity. Complaints roſe the louder on that account, and at laſt reached the houſe of commons, who ſent up an impeachment againſt him to the peers. The chancellor, conſcious of guilt, deprecated to vengeance of his judges, and endeavoured, by a general avowal, to eſcape the confuſion of a ſtricter inquiry. The lords inſiſted on a particular confeſſion of all his corruptions. He acknowledged twenty-eight articles; and was ſentenced to pay a fine of 40,000 pounds, to be impriſoned in the Tower during the king's pleaſure, to be for ever incapable of any office, place, or employment, and never again to ſit in parliament, or come within the verge of the court.

This dreadful ſentence, dreadful to a man of nice ſenſibility to honour, he ſurvived five years; and, being releaſed in a little time from the Tower, his genius, yet unbroken, ſupported itſelf amidſt involved circumſtances and a depreſſed ſpirit, and ſhone out in literary productions, which have made his guilt or weakneſſes be forgotten or overlooked by poſterity. In conſideration of his great merit, the king remitted his fine, as well as all the other parts of his ſentence, conferred on him a large penſion of 1800 pounds a-year, and employed every expedient to alleviate the weight of his age and misfortunes. And that great philoſopher, at laſt, acknowledged with regret, that he had too long neglected the true ambition of a fine genius; and by plunging into buſineſs and

affairs, which required much leſs capacity, but greater firmneſs of mind, than the purſuits of learning, had expoſed himſelf to ſuch grievous calamities *.

The commons had entertained the idea, that they were the great patrons of the people, and that the redreſs of all grievances muſt proceed from them; and to this principle they were chiefly beholden for the regard and conſideration of the public. In the execution of this office, they now kept their ears open to complaints of every kind; and they carried their reſearches into many grievances, which, though of no great importance, could not be touched on, without ſenſibly affecting the king and his miniſters. The prerogative ſeemed every moment to be invaded; the king's authority, in every article, was diſputed; and James, who was willing to correct the abuſes of his power, would not ſubmit to have his power itſelf queſtioned and denied. After the houſe, therefore, had ſitten near ſix months, and had, as yet, brought no conſiderable buſineſs to a full concluſion, the king reſolved, under pretence of the advanced ſeaſon, to interrupt their proceedings; and he ſent them word, that he was determined, in a little time, to adjourn them till next winter. The commons made application to the lords, and deſired them to join in a petition for delaying the adjournment; which was refuſed by the upper houſe. The king regarded this project of a joint petition as an attempt to force him from his meaſures: He thanked the peers for their refuſal to concur in it, and told them, that, if it were their deſire, he would delay the adjournment, but would not ſo far comply with the requeſt of the lower houſe. And thus, in theſe great national affairs, the ſame peeviſhneſs, which, in private altercations, often raiſes a quarrel from the ſmalleſt beginnings, produced a mutual coldneſs and diſguſt between the king and the commons.

* It is thought that appeals from chancery to the houſe of peers firſt came into practice while Bacon held the great ſeal. Appeals, under the form of *writs of error*, had long before lain againſt the courts of law.

During

During the receſs of parliament, the king uſed every meaſure to render himſelf popular with the nation, and to appeaſe the riſing ill-humour of their repreſentatives. He had voluntarily offered the parliament to circumſcribe his own prerogative, and to abrogate for the future his power of granting monopolies. He now recalled all the patents of that kind, and redreſſed every article of grievance, to the number of thirty-ſeven, which had ever been complained of in the houſe of commons. But he gained not the end which he propoſed. The diſguſt, which had appeared at parting, could not ſo ſuddenly be diſpelled. He had likewiſe been ſo imprudent as to commit to priſon ſir Edwin Sandys, without any known cauſe, beſides his activity and vigour in diſcharging his duty as a member of parliament. And, above all, the tranſactions in Germany were ſufficient, when joined to the king's cautions, negotiations, and delays, to inflame that jealouſy of honour and religion which prevailed throughout the nation *. This ſummer, the ban of the empire had been publiſhed againſt the elector palatine; and the execution of it was committed to the duke of Bavaria. The Upper Palatinate was, in a little time, conquered by that prince; and meaſures were taking in the empire for beſtowing on him the electoral dignity, of which the palatine was deſpoiled. Frederic now lived with his numerous family, in poverty and diſtreſs, either

* To ſhow to what degree the nation was inflamed with regard to the Palatinate, there occurs a remarkable ſtory this ſeſſion. One Floyd, a priſoner in the Fleet, a catholic, had dropped ſome expreſſions, in private converſation, as if he were pleaſed with the misfortunes of the palatine and his wife. The commons were in a flame, and, pretending to be a court of judicature and of record, proceeded to condemn him to a ſevere puniſhment. The houſe of lords checked this encroachment; and, what was extraordinary, conſidering the preſent humour of the lower houſe, the latter acquieſced in the ſentiments of the peers. This is almoſt the only pretenſion of the Engliſh commons, in which they have not prevailed. Happily for the nation, they have been ſucceſsful in almoſt all their other claims.

in Holland, or at Sedan, with his uncle the duke of Bouillon. And throughout all the new conqueſts, in both the Palatinates, as well as in Bohemia, Auſtria, and Luſatia, the progreſs of the Auſtrian arms was attended with rigours and ſeverities, exerciſed againſt the profeſſors of the reformed religion.

The zeal of the commons immediately moved them, upon their aſſembling (14th Nov.), to take all theſe tranſactions into conſideration. They framed a remonſtrance, which they intended to carry to the king. They repreſented, that the enormous growth of the Auſtrian power threatened the liberties of Europe; that the progreſs of the catholic religion in England bred the moſt melancholy apprehenſions, leſt it ſhould again acquire an aſcendant in the kingdom; that the indulgence of his majeſty towards the profeſſors of that religion had encouraged their inſolence and temerity; that the uncontrolled conqueſts, made by the Auſtrian family in Germany, raiſed mighty expectations in the Engliſh papiſts; but above all, that the proſpect of the Spaniſh match elevated them ſo far as to hope for an entire toleration, if not the final re-eſtabliſhment, of their religion. The commons, therefore, entreated his majeſty, that he would immediately undertake the defence of the palatine, and maintain it by force of arms; that he would turn his ſword againſt Spain, whoſe armies and treaſures were the chief ſupport of the catholic intereſt in Europe; that he would enter into no negotiation for the marriage of his ſon but with a proteſtant princeſs; that the children of popiſh recuſants ſhould be taken from their parents, and be committed to the care of proteſtant teachers and ſchoolmaſters; and that the fines and confiſcations, to which the catholics were by law liable, ſhould be levied with the utmoſt ſeverity.

By this *bold* ſtep, unprecedented in England for many years, and ſcarcely ever heard of in peaceable times, the commons attacked at once all the king's favourite maxims of government; his cautious and pacific meaſures, his lenity towards the Romiſh religion, and his attachment to the Spaniſh alliance, from which he promiſed himſelf

himſelf ſuch mighty advantages. But what moſt diſguſted him was, their ſeeming invaſion of his prerogative, and their pretending, under colour of advice, to direct his conduct in ſuch points as had ever been acknowledged to belong ſolely to the management and direction of the ſovereign. He was, at that time, abſent at Newmarket; but as ſoon as he heard of the intended remonſtrance of the commons, he wrote a letter to the ſpeaker, in which he ſharply rebuked the houſe for openly debating matters far above their reach and capacity, and he ſtrictly forbade them to meddle with any thing that regarded his government, or deep matters of ſtate, and eſpecially not to touch on his ſon's marriage with the daughter of Spain, nor to attack the honour of that king, or any other of his friends and confederates. In order the more to intimidate them, he mentioned the impriſonment of ſir Edwin Sandys; and though he denied that the confinement of that member had been owing to any offence committed in the houſe, he plainly told them, that he thought himſelf fully entitled to puniſh every miſdemeanour in parliament, as well during its ſitting as after its diſſolution; and that he intended thenceforward to chaſtiſe any man, whoſe inſolent behaviour there ſhould miniſter occaſion of offence.

This *violent* letter, in which the king, though he here imitated former precedents, may be thought not to have acted altogether on the defenſive, had the effect which might naturally have been expected from it: The commons were inflamed, not terrified. Secure of their own popularity, and of the bent of the nation towards a war with the catholics abroad, and the perſecution of popery at home, they little dreaded the menaces of a prince, who was unſupported by military force, and whoſe gentle temper would, of itſelf, ſo ſoon diſarm his ſeverity. In a new remonſtrance, therefore, they ſtill inſiſted on their former remonſtrance and advice; and they maintained, though in reſpectful terms, that they were entitled to interpoſe with their counſel in all matters of government; that, to poſſeſs entire freedom of ſpeech, in their debates on public buſineſs, was their ancient and un-

undoubted right, and an inheritance tranſmitted to them from their anceſtors; and that, if any member abuſed this liberty, it belonged to the houſe alone, who were witneſſes of his offence, to inflict a proper cenſure upon him.

So *vigorous* an anſwer was nowiſe calculated to appeaſe the king. It is ſaid, when the approach of the committee who were to preſent it was notified to him, he ordered twelve chairs to be brought: For that there were ſo many kings a-coming. His anſwer was prompt and ſharp. He told the houſe, that their remonſtrance was more like a denunciation of war than an addreſs of dutiful ſubjects; that their pretenſion to inquire into all ſtate affairs, without exception, was ſuch a *plenipotence* as none of their anceſtors, even during the reign of the weakeſt princes, had ever pretended to; that public tranſactions depended on a complication of views and intelligence, with which they were entirely unacquainted; that they could not better ſhow their wiſdom, as well as duty, than by keeping within their proper ſphere*; and that, in any buſineſs which depended on his prerogative, they had no title to interpoſe with their advice, except when he was pleaſed to deſire it. And he concluded with theſe memorable words: *And though we cannot allow of your ſtyle, in mentioning your ancient and undoubted right and inheritance, but would rather have wiſhed that ye had ſaid, that your privileges were derived from the grace and permiſſion of our anceſtors and us (for the moſt of them grew from precedents, which ſhows rather a toleration than inheritance)*; *yet we are pleaſed to give you our royal aſſurance, that as long as you contain yourſelves within the limits of your duty we will be as careful to maintain and preſerve your lawful liberties and privileges as ever any of our predeceſſors were, nay, as to preſerve our own royal prerogative.*

* *Ne ſutor ultra crepidam.* This expreſſion is imagined to be inſolent and diſobliging: But it was a Latin proverb familiarly uſed on all occaſions.

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This open pretenſion of the king's naturally gave great alarm to the houſe of commons. They ſaw their title to every privilege, if not plainly denied, yet conſidered at leaſt as precarious. It might be forfeited by abuſe, and they had already abuſed it. They thought proper, therefore, immediately to oppoſe pretenſion to pretenſion. (18th Dec.) They framed a proteſtation, in which they repeated all their former claims for freedom of ſpeech, and an unbounded authority to interpoſe with their advice and counſel. And they aſſerted, *That the liberties, franchiſes, privileges, and juriſdictions of parliament, are the ancient and undoubted birthright and inheritance of the ſubjects of England* *.

The king, informed of theſe increaſing heats and jealouſies in the houſe, hurried to town. He ſent immediately for the journals of the commons; and, with his own hand, before the council, he tore out this proteſtation; and ordered his reaſons to be inſerted in the council-book. He was doubly diſpleaſed, he ſaid, with the proteſtation of the lower houſe, on account of the manner of framing it, as well as of the matter which it contained. It was tumultuouſly voted, at a late hour, and in a thin houſe; and it was expreſſed in ſuch general and ambiguous terms, as might ſerve for a foundation to the moſt enormous claims, and to the moſt unwarrantable uſurpations upon his prerogative.

The meeting of the houſe might have proved dangerous after ſo violent a breach. It was no longer poſſible, while men were in ſuch a temper, to finiſh any buſineſs. The king, therefore, prorogued the parliament, and ſoon after diſſolved it by proclamation; in which he alſo made an apology to the public for his whole conduct.

The leading members of the houſe, ſir Edward Coke and ſir Robert Philips, were committed to the Tower; Selden, Pym, and Mallory, to other priſons. As a lighter puniſhment, ſir Dudley Digges, ſir Thomas Crew, ſir

* See note [T] at the end of the volume.

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Nathaniel Rich, ſir James Perrot, joined in commiſſion with others, were ſent to Ireland, in order to execute ſome buſineſs. The king, at that time, enjoyed, at leaſt exerciſed, the prerogative of employing any man, even without his conſent, in any branch of public ſervice.

Sir John Savile, a powerful man in the houſe of commons, and a zealous opponent of the court, was made comptroller of the houſehold, a privy-counſellor, and ſoon after a baron. This event is memorable; as being the firſt inſtance, perhaps, in the whole hiſtory of England, of any king's advancing a man on account of parliamentary intereſt, and of oppoſition to his meaſures. However irregular this practice, it will be regarded by political reaſoners, as one of the moſt early and moſt infallible ſymptoms of a regular eſtabliſhed liberty.

The king having thus, with ſo raſh and indiſcreet a hand, torn off that ſacred veil which had hitherto covered the Engliſh conſtitution, and which threw an obſcurity upon it ſo advantageous to royal prerogative, every man began to indulge himſelf in political reaſonings and inquiries; and the ſame factions which commenced in parliament were propagated throughout the nation. In vain did James, by reiterated proclamations, forbid the diſcourſing of ſtate affairs *. Such proclamations, if they had any effect, ſerved rather to inflame the curioſity of the public. And, in every company or ſociety, the late tranſactions became the ſubject of argument and debate.

All hiſtory, ſaid the partiſans of the court, as well as the hiſtory of England, juſtify the king's poſition with regard to the origin of popular privileges; and every reaſonable man muſt allow, that, as monarchy is the moſt ſimple form of government, it muſt firſt have occurred to rude and uninſtructed mankind. The other complicated

* The king, alſo, in imitation of his predeceſſors, gave rules to preachers. The pulpit was at that time much more dangerous than the preſs. Few people could read, and ſtill fewer were in the practice of reading.

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and artificial additions were the ſucceſſive invention of ſovereigns and legiſlators; or, if they were obtruded on the prince by ſeditious ſubjects, their origin muſt appear, on that very account, ſtill more precarious and unfavourable. In England, the authority of the king, in all the exterior forms of government, and in the common ſtyle of law, appears totally abſolute and ſovereign; nor does the real ſpirit of the conſtitution, as it has ever diſcovered itſelf in practice, fall much ſhort of theſe appearances. The parliament is created by his will; by his will it is diſſolved. It is his will alone, though at the deſire of both houſes, which gives authority to laws. To all foreign nations, the majeſty of the monarch ſeems to merit ſole attention and regard. And no ſubject, who has expoſed himſelf to royal indignation, can hope to live with ſafety in the kingdom; nor can he even leave it, according to law, without the conſent of his maſter. If a magiſtrate, environed with ſuch power and ſplendour, ſhould conſider his authority as ſacred, and regard himſelf as the anointed of heaven, his pretenſions may bear a very favourable conſtruction. Or, allowing them to be merely pious frauds, we need not be ſurpriſed, that the ſame ſtratagem which was practiſed by Minos, Numa, and the moſt celebrated legiſlators of antiquity, ſhould now, in theſe reſtleſs and inquiſitive times, be employed by the king of England. Subjects are not raiſed above that quality, though aſſembled in parliament. The ſame humble reſpect and deference is ſtill due to their prince. Though he indulges them in the privilege of laying before him their domeſtic grievances, with which they are ſuppoſed to be beſt acquainted, this warrants not their bold intruſion into every province of government. And, to all judicious examiners, it muſt appear, "That the "lines of duty are as much tranſgreſſed by a more in- "dependent and leſs reſpectful exerciſe of acknow- "ledged powers, as by the uſurpation of ſuch as are new "and unuſual."

The lovers of liberty, throughout the nation, reaſoned after a different manner. It is in vain, ſaid they, that the king traces up the Engliſh government to its firſt origin,

origin, in order to repreſent the privileges of parliament as dependant and precarious: Preſcription, and the practice of ſo many ages, muſt, long ere this time, have given a ſanction to theſe aſſemblies, even though they had been derived from an origin no more dignified than that which he aſſigns them. If the written records of the Engliſh nation, as aſſerted, repreſent parliaments to have ariſen from the conſent of monarchs, the principles of human nature, when we trace government a ſtep higher, muſt ſhow us that monarchs themſelves owe all their authority to the voluntary ſubmiſſion of the people. But in fact, no age can be ſhown, when the Engliſh government was altogether an unmixed monarchy: And, if the privileges of the nation have, at any period, been overpowered by violent irruptions of foreign force or domeſtic uſurpation; the generous ſpirit of the people has ever ſeized the firſt opportunity of re-eſtabliſhing the ancient government and conſtitution. Though in the ſtyle of the laws, and in the uſual forms of adminiſtration, royal authority may be repreſented as ſacred and ſupreme; whatever is eſſential to the exerciſe of ſovereign and legiſlative power, muſt ſtill be regarded as equally divine and inviolable. Or, if any diſtinction be made in this reſpect, the preference is ſurely due to thoſe national councils, by whoſe interpoſition the exorbitancies of tyrannical power are reſtrained, and that ſacred liberty is preſerved, which heroic ſpirits, in all ages, have deemed more precious than life itſelf. Nor is it ſufficient to ſay, that the mild and equitable adminiſtration of James affords little occaſion, or no occaſion, of complaint. How moderate ſoever the exerciſe of his prerogative, how exact ſoever his obſervance of the laws and conſtitution; "If "he founds his authority on arbitrary and dangerous "principles, it is requiſite to watch him with the ſame "care, and to oppoſe him with the ſame vigour, as if he "had indulged himſelf in all the exceſſes of cruelty and "tyranny."

Amidſt theſe diſputes, the wiſe and moderate in the nation endeavoured to preſerve, as much as poſſible, an equitable neutrality between the oppoſite parties; and the

the more they reflected on the courſe of public affairs, the greater difficulty they found in fixing juſt ſentiments with regard to them. On the one hand, they regarded the very riſe of parties as a happy prognoſtic of the eſtabliſhment of liberty; nor could they ever expect to enjoy, in a mixed government, ſo invaluable a bleſſing, without ſuffering that inconvenience, which, in ſuch governments, has ever attended it. But when they conſidered, on the other hand, the neceſſary aims and purſuits of both parties, they were ſtruck with apprehenſion of the conſequences, and could diſcover no feaſible plan of accommodation between them. From long practice, the crown was now poſſeſſed of ſo exorbitant a prerogative, that it was not ſufficient for liberty to remain on the defenſive, or endeavour to ſecure the little ground which was left her: It was become neceſſary to carry on an offenſive war, and to circumſcribe, within more narrow, as well as more exact bounds, the authority of the ſovereign. Upon ſuch provocation, it could not but happen that the prince, however juſt and moderate, would endeavour to repreſs his opponents; and, as he ſtood upon the very brink of arbitrary power, it was to be feared that he would, haſtily and unknowingly, paſs thoſe limits, which were not preciſely marked by the conſtitution. The turbulent government of England, ever fluctuating between privilege and prerogative, would afford a variety of precedents, which might be pleaded on both ſides. In ſuch delicate queſtions, the people muſt be divided: The arms of the ſtate were ſtill in their hands: A civil war muſt enſue; a civil war, where no party or both parties would juſtly bear the blame, and where the good and virtuous would ſcarcely know what vows to form; were it not that liberty, ſo neceſſary to the perfection of human ſociety, would be ſufficient to bias their affections towards the ſide of its defenders.

CHAP. XLIX.

Negotiations with regard to the marriage and the Palatinate—Character of Buckingham—Prince's journey to Spain—Marriage treaty broken—A parliament—Return of Briſtol—Rupture with Spain—Treaty with France—Mansfeldt's expedition—Death of the king—His character.

(1622.) TO wreſt the Palatinate from the hands of the emperor and the duke of Bavaria, muſt always have been regarded as a difficult taſk for the power of England, conducted by ſo unwarlike a prince as James: It was plainly impoſſible, while the breach ſubſiſted between him and the commons. The king's negotiations, therefore, had they been managed with ever ſo great dexterity, muſt now carry leſs weight with them; and it was eaſy to elude all his applications. When lord Digby, his ambaſſador to the emperor, had deſired a ceſſation of hoſtilities, he was referred to the duke of Bavaria, who commanded the Auſtrian armies. The duke of Bavaria told him, that it was entirely ſuperfluous to form any treaty for that purpoſe. *Hoſtilities are already ceaſed*, ſaid he; *and I doubt not but I ſhall be able to prevent their revival by keeping firm poſſeſſion of the Palatinate, till a final agreement ſhall be concluded between the contending parties.* Notwithſtanding this inſult, James endeavoured to reſume with the emperor a treaty of accommodation; and he opened the negotiation at Bruſſels, under the mediation of archduke Albert; and after his death, which happened about this time, under that of the Infanta: When the conferences were entered upon, it was found, that the powers of theſe princes to determine in the controverſy were not ſufficient or ſatisfactory. Schwartzenbourg, the Imperial miniſter, was expected at London; and it was hoped that he would bring more ample authority: His commiſſion referred entirely to the negotiation at Bruſſels. It was not difficult for the king to perceive, that his applications were neglected by the emperor; but as he had no choice of

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any other expedient, and it ſeemed the intereſt of his ſon-in-law to keep alive his pretenſions, he was ſtill content to follow Ferdinand through all his ſhifts and evaſions. Nor was he entirely diſcouraged, even when the Imperial diet at Ratiſbon, by the influence or rather authority of the emperor, though contrary to the proteſtation of Saxony, and of all the proteſtant princes and cities, had transferred the electoral dignity from the palatine to the duke of Bavaria.

Meanwhile the efforts made by Frederic, for the recovery of his dominions, were vigorous. Three armies were levied in Germany by his authority, under three commanders, duke Chriſtian of Brunſwick, the prince of Baden-Dourlach, and count Mansfeldt. The two former generals were defeated by count Tilly and the Imperialiſts: The third, though much inferior in force to his enemies, ſtill maintained the war; but with no equal ſupplies of money either from the palatine or the king of England. It was chiefly by pillage and free quarters in the Palatinate, that he ſubſiſted his army. As the Auſtrians were regularly paid, they were kept in more exact diſcipline; and James juſtly became apprehenſive, leſt ſo unequal a conteſt, beſides ravaging the palatine's hereditary dominions, would end in the total alienation of the people's affections from their ancient ſovereign, by whom they were plundered, and in an attachment to their new maſters, by whom they were protected. He perſuaded therefore his ſon-in-law to diſarm, under colour of duty and ſubmiſſion to the emperor: And accordingly, Mansfeldt was diſmiſſed from the palatine's ſervice; and that famous general withdrew his army into the Low Countries, and there received a commiſſion from the States of the United Provinces.

To ſhow how little account was made of James's negotiations abroad, there is a pleaſantry mentioned by all hiſtorians, which, for that reaſon, ſhall have place here. In a farce, acted at Bruſſels, a courier was introduced carrying the doleful news that the Palatinate would ſoon be wreſted from the houſe of Auſtria; ſo powerful were the ſuccours, which, from all quarters,

were haſtening to the relief of the deſpoiled elector: The king of Denmark had agreed to contribute to his aſſiſtance a hundred thouſand pickled herrings, the Dutch a hundred thouſand butter-boxes, and the king of England a hundred thouſand ambaſſadors. On other occaſions, he was painted with a ſcabbard, but without a ſword; or with a ſword, which nobody could draw, though ſeveral were pulling at it.

It was not from his negotiations with the emperor or the duke of Bavaria, that James expected any ſucceſs in his project of reſtoring the palatine: His eyes were entirely turned towards Spain; and if he could effect his ſon's marriage with the Infanta, he doubted not but that, after ſo intimate a conjunction, this other point could eaſily be obtained. The negotiations of that court being commonly dilatory, it was not eaſy for a prince of ſo little penetration in buſineſs, to diſtinguiſh, whether the difficulties, which occurred, were real or affected; and he was ſurpriſed, after negotiating five years on ſo ſimple a demand, that he was not more advanced than at the beginning. A diſpenſation from Rome was requiſite for the marriage of the Infanta with a proteſtant prince; and the king of Spain, having undertaken to procure that diſpenſation, had thereby acquired the means of retarding at pleaſure, or of forwarding the marriage, and at the ſame time of concealing entirely his artifices from the court of England.

In order to remove all obſtacles, James deſpatched Digby, ſoon after created earl of Briſtol, as his ambaſſador to Philip IV. who had lately ſucceeded his father in the crown of Spain. He ſecretly employed Gage as his agent at Rome; and finding that the difference of religion was the principal, if not the ſole difficulty, which retarded the marriage, he reſolved to ſoften that objection as much as poſſible. He iſſued public orders for diſcharging all popiſh recuſants who were impriſoned; and it was daily apprehended that he would forbid, for the future, the execution of the penal laws enacted againſt them. For this ſtep, ſo oppoſite to the rigid ſpirit of his ſubjects, he took care to apologiſe; and he even

even endeavoured to aſcribe it to his great zeal for the reformed religion. He had been making applications, he ſaid, to all foreign princes for ſome indulgence to the diſtreſſed proteſtants; and he was ſtill anſwered by objections derived from the ſeverity of the Engliſh laws againſt catholics. It might indeed occur to him, that, if the extremity of religious zeal were ever to abate among chriſtian ſects, one of them muſt begin; and nothing would be more honourable for England, than to have led the way in ſentiments ſo wiſe and moderate.

Not only the religious puritans murmured at this tolerating meaſure of the king: The lovers of civil liberty were alarmed at ſo important an exertion of prerogative. But among other dangerous articles of authority, the kings of England were at that time poſſeſſed of the diſpenſing power; at leaſt, were in the conſtant practice of exerciſing it. Beſides, though the royal prerogative in civil matters was then extenſive, the princes, during ſome late reigns, had been accuſtomed to aſſume a ſtill greater in eccleſiaſtical. And the king failed not to repreſent the toleration of catholics as a meaſure entirely of that nature.

By James's conceſſion in favour of the catholics, he attained his end. The ſame religious motives which had hitherto rendered the court of Madrid inſincere in all the ſteps taken with regard to the marriage, were now the chief cauſe of promoting it. By its means, it was there hoped the Engliſh catholics would for the future enjoy eaſe and indulgence; and the Infanta would be the happy inſtrument of procuring to the church ſome tranquillity, after the many ſevere perſecutions which it had hitherto undergone. The earl of Briſtol, a miniſter of vigilance and penetration, and who had formerly oppoſed all alliance with catholics, was now fully convinced of the ſincerity of Spain; and he was ready to congratulate the king on the entire completion of his views and projects. A daughter of Spain, whom he repreſents as extremely accompliſhed, would ſoon, he ſaid, arrive in England, and bring with her an immenſe fortune of two millions of pieces of eight, or ſix hundred

thouſand pounds ſterling; a ſum four times greater than Spain had ever before given with any princeſs, and almoſt equal to all the money which the parliament, during the whole courſe of this reign, had hitherto granted to the king. But what was of more importance to James's honour and happineſs, Briſtol conſidered this match as an infallible prognoſtic of the palatine's reſtoration; nor would Philip, he thought, have ever beſtowed his ſiſter and ſo large a fortune, under the proſpect of entering next day into a war with England. So exact was his intelligence, that the moſt ſecret councils of the Spaniards, he boaſts, had never eſcaped him; and he found that they had all along conſidered the marriage of the Infanta and the reſtitution of the Palatinate as meaſures cloſely connected, or altogether inſeparable *. However little calculated James's character to extort ſo vaſt a conceſſion; however improper the meaſures which he had purſued for attaining that end; the ambaſſador could not withſtand the plain evidence of facts, by which Philip now demonſtrated his ſincerity. Perhaps too, like a wiſe man, he conſidered, that reaſons of ſtate, which are ſuppoſed ſolely to influence the councils of monarchs, are not always the motives which there predominate; that the milder views of gratitude, honour, friendſhip, generoſity, are frequently able, among princes as well as private perſons, to counterbalance theſe ſelfiſh conſiderations; that the juſtice and moderation of James had been ſo conſpicuous in all theſe tranſactions, his reliance on Spain, his confidence in her friendſhip, that he had at laſt obtained the cordial alliance of that nation, ſo celebrated for honour and fidelity. Or if politics muſt ſtill be ſuppoſed the ruling motive of all public meaſures, the maritime power of England was ſo conſiderable, and the Spaniſh dominions ſo divided, as might well induce the council of Philip to think that a ſincere friendſhip with

* We find by private letters between Philip IV. and the Condé Olivarez, ſhown by the latter to Buckingham, that the marriage and the reſtitution of the Palatinate were always conſidered by the court of Spain as inſeparable.

the

the maſters of the ſea could not be purchaſed by too great conceſſions. And as James, during ſo many years, had been allured and ſeduced by hopes and proteſtations, his people enraged by delays and diſappointments; it would probably occur, that there was now no medium left between the moſt inveterate hatred and the moſt intimate alliance between the nations. Not to mention, that, as a new ſpirit began about this time to animate the councils of France, the friendſhip of England became every day more neceſſary to the greatneſs and ſecurity of the Spaniſh monarch.

All meaſures being, therefore, agreed on between the parties, nought was wanting but the diſpenſation from Rome, which might be conſidered as a mere formality. The king, juſtified by ſucceſs, now exulted in his pacific councils, and boaſted of his ſuperior ſagacity and penetration; when all theſe flattering proſpects were blaſted by the temerity of a man, whom he had fondly exalted from a private condition, to be the bane of himſelf, of his family, and of his people.

Ever ſince the fall of Somerſet, Buckingham had governed, with an uncontrolled ſway, both the court and nation; and could James's eyes have been opened, he had now full opportunity of obſerving how unfit his favourite was for the high ſtation to which he was raiſed. Some accompliſhments of a courtier he poſſeſſed: Of every talent of a miniſter he was utterly deſtitute. Headſtrong in his paſſions, and incapable equally of prudence and of diſſimulation: Sincere from violence rather than candour; expenſive from profuſion more than generoſity: A warm friend, a furious enemy; but without any choice or diſcernment in either: With theſe qualities he had early and quickly mounted to the higheſt rank; and partook at once of the inſolence which attends a fortune newly acquired, and the impetuoſity which belongs to perſons born in high ſtations, and unacquainted with oppoſition.

Among thoſe who had experienced the arrogance of this overgrown favourite, the prince of Wales himſelf had not been entirely ſpared; and a great coldneſs, if not an

an enmity, had, for that reaſon, taken place between them. Buckingham, deſirous of an opportunity, which might connect him with the prince, and overcome his averſion, and at the ſame time envious of the great credit acquired by Briſtol in the Spaniſh negotiation, bethought himſelf of an expedient, by which he might at once gratify both theſe inclinations. He repreſented to Charles, that perſons of his exalted ſtation were peculiarly unfortunate in their marriage, the chief circumſtance in life; and commonly received into their arms a bride, unknown to them, to whom they were unknown; not endeared by ſympathy, not obliged by ſervice; wooed by treaties alone, by negotiations, by political intereſt: That however accompliſhed the Infanta, ſhe muſt ſtill conſider herſelf as a melancholy victim of ſtate, and could not but think with averſion of that day, when ſhe was to enter the bed of a ſtranger; and, paſſing into a foreign country and a new family, bid adieu for ever to her father's houſe and to her native land: That it was in the prince's power to ſoften all theſe rigours, and lay ſuch an obligation on her, as would attach the moſt indifferent temper, as would warm the coldeſt affections: That his journey to Madrid would be an unexpected gallantry, which would equal all the fictions of Spaniſh romance, and ſuiting the amorous and enterpriſing character of that nation, muſt immediately introduce him to the princeſs under the agreeable character of a devoted lover and daring adventurer: That the negotiations with regard to the Palatinate, which had hitherto languiſhed in the hands of miniſters, would quickly be terminated by ſo illuſtrious an agent, ſeconded by the mediation and entreaties of the grateful Infanta: That Spaniſh generoſity, moved by that unexampled truſt and confidence, would make conceſſions beyond what could be expected from political views and conſiderations: And that he would quickly return to the king with the glory of having re-eſtabliſhed the unhappy palatine, by the ſame enterpriſe which procured him the affections and the perſon of the Spaniſh princeſs.

The mind of the young prince, replete with candour, was inflamed by theſe generous and romantic ideas, ſuggeſted

geſted by Buckingham. He agreed to make application to the king for his approbation. They choſe the moment of his kindeſt and moſt jovial humour; and more by the earneſtneſs which they expreſſed, than by the force of their reaſons, they obtained a haſty and unguarded conſent to their undertaking. And having engaged his promiſe to keep their purpoſe ſecret, they left him, in order to make preparations for the journey.

No ſooner was the king alone, than his temper, more cautious than ſanguine, ſuggeſted very different views of the matter, and repreſented every difficulty and danger which could occur. He reflected, that, however the world might pardon this ſally of youth in the prince, they would never forgive himſelf, who, at his years, and after his experience, could entruſt his only ſon, the heir of his crown, the prop of his age, to the diſcretion of foreigners, without ſo much as providing the frail ſecurity of a ſafe-conduct in his favour: That if the Spaniſh monarch were ſincere in his profeſſions, a few months muſt finiſh the treaty of marriage, and bring the Infanta into England; if he were not ſincere, the folly was ſtill more egregious of committing the prince into his hands: That Philip, when poſſeſſed of ſo invaluable a pledge, might well riſe in his demands, and impoſe harder conditions of treaty: And that the temerity of the enterpriſe was ſo apparent, that the event, how proſperous ſoever, could not juſtify it; and if diſaſtrous, it would render himſelf infamous to his people and ridiculous to all poſterity.

Tormented with theſe reflections, as ſoon as the prince and Buckingham returned for their deſpatches, he informed them of all the reaſons which had determined him to change his reſolution; and he begged them to deſiſt from ſo fooliſh an adventure. The prince received the diſappointment with ſorrowful ſubmiſſion and ſilent tears: Buckingham preſumed to ſpeak in an imperious tone, which he had ever experienced to be prevalent over his too eaſy maſter. He told the king, that nobody for the future would believe any thing he ſaid, when he retracted ſo ſoon the promiſe ſo ſolemnly given; that he plainly

plainly diſcerned this change of reſolution to proceed from another breach of his word, in communicating the matter to ſome raſcal, who had furniſhed him with thoſe pitiful reaſons which he had alleged, and he doubted not but he ſhould hereafter know who his counſellor had been; and that if he receded from what he had promiſed, it would be ſuch a diſobligation to the prince, who had now ſet his heart upon the journey, after his majeſty's approbation, that he could never forget it, nor forgive any man who had been the cauſe of it.

The king, with great earneſtneſs, fortified by many oaths, made his apology, by denying that he had communicated the matter to any; and finding himſelf aſſailed, as well by the boiſterous importunities of Buckingham, as by the warm entreaties of his ſon, whoſe applications had hitherto, on other occaſions, been always dutiful, never earneſt; he had again the weakneſs to aſſent to their purpoſed journey. It was agreed that ſir Francis Cottington alone, the prince's ſecretary, and Endymion Porter, gentleman of his bed-chamber, ſhould accompany them; and the former being at that time in the antechamber he was immediately called in by the king's orders.

James told Cottington, that he had always been an honeſt man, and therefore he was now to truſt him in an affair of the higheſt importance, which he was not, upon his life, to diſcloſe to any man whatever. "Cottington," added he, "here is baby Charles and "Stenny," (theſe ridiculous appellations he uſually gave to the prince and Buckingham,) "who have a great "mind to go poſt into Spain, and fetch home the Infanta: They will have but two more in their company, and have choſen you for one. What think "you of the journey?" Sir Francis, who was a prudent man, and had reſided ſome years in Spain as the king's agent, was ſtruck with all the obvious objections to ſuch an enterpriſe, and ſcrupled not to declare them. The king threw himſelf upon his bed, and cried, *I told you this before*; and fell into a new paſſion and new lamentations, complaining that he was undone, and ſhould loſe baby Charles.

The

VOLUME VII. page 198.
Convenation between James I. Cottington, and Buckingham, on the Spanish Match.

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The prince ſhowed by his countenance, that he was extremely diſſatisfied with Cottington's diſcourſe; but Buckingham broke into an open paſſion againſt him. The king, he told him, aſked him only of the journey, and of the manner of travelling; particulars of which he might be a competent judge, having gone the road ſo often by poſt; but that he, without being called to it, had the preſumption to give his advice upon matters of ſtate and againſt his maſter, which he ſhould repent as long as he lived. A thouſand other reproaches he added, which put the poor king into a new agony in behalf of a ſervant, who, he foreſaw, would ſuffer for anſwering him honeſtly. Upon which he ſaid with ſome emotion, *Nay, by God, Stenny, you are much to blame for uſing him ſo: He anſwered me directly to the queſtion which I aſked him, and very honeſtly and wiſely; and yet, you know, he ſaid no more than I told you before he was called in.* However, after all this paſſion on both ſides, James renewed his conſent; and proper directions were given for the journey. Nor was he now at any loſs to diſcover, that the whole intrigue was originally contrived by Buckingham, as well as purſued violently by his ſpirit and impetuoſity.

Theſe circumſtances, which ſo well characteriſe the perſons, ſeem to have been related by Cottington to lord Clarendon, from whom they are here tranſcribed; and though minute, are not undeſerving of a place in hiſtory.

The prince and Buckingham, with their two attendants, and ſir Richard Graham, maſter of horſe to Buckingham, paſſed diſguiſed and undiſcovered through France; and they even ventured into a court-ball at Paris, where Charles ſaw the princeſs Henrietta, whom he afterwards eſpouſed, and who was at that time in the bloom of youth and beauty. In eleven days after their departure from London (7th March), they arrived at Madrid; and ſurpriſed every body by a ſtep ſo unuſual among great princes. The Spaniſh monarch immediately paid Charles a viſit, expreſſed the utmoſt gratitude for the confidence repoſed in him, and made warm proteſtations

teſtations of a correſpondent confidence and friendſhip. By the moſt ſtudious civilities, he ſhowed the reſpect which he bore to his royal gueſt. He gave him a golden key, which opened all his apartments, that the prince might, without any introduction, have acceſs to him at all hours: He took the left hand of him on every occaſion, except in the apartments aſſigned to Charles; for there, he ſaid, the prince was at home: Charles was introduced into the palace with the ſame pomp and ceremony that attends the kings of Spain on their coronation: The council received public orders to obey him as the king himſelf: Olivarez too, though a grandee of Spain, who has the right of being covered before his own king, would not put on his hat in the prince's preſence: All the priſons of Spain were thrown open, and all the priſoners received their freedom, as if the event, the moſt honourable and moſt fortunate, had happened to the monarchy: And every ſumptuary law with regard to apparel was ſuſpended during Charles's reſidence in Spain. The Infanta, however, was only ſhown to her lover in public; the Spaniſh ideas of decency being ſo ſtrict, as not to allow of any farther intercourſe, till the arrival of the diſpenſation.

The point of honour was carried ſo far by that generous people, that no attempt was made, on account of the advantage which they had acquired, of impoſing any harder conditions of treaty: Their pious zeal only prompted them, on one occaſion, to deſire more conceſſions in the religious articles; but, upon the oppoſition of Briſtol, accompanied with ſome reproaches, they immediately deſiſted. The pope, however, hearing of the prince's arrival in Madrid, tacked ſome new clauſes to the diſpenſation; and it became neceſſary to tranſmit the articles to London, that the king might ratify them. This treaty, which was made public, conſiſted of ſeveral articles, chiefly regarding the exerciſe of the catholic religion by the Infanta and her houſehold. Nothing could reaſonably be found fault with, except one article, in which the king promiſed, that the children ſhould be educated by the princeſs, till ten years of age. This

condition could not be inſiſted on, but with a view of ſeaſoning their minds with catholic principles; and though ſo tender an age ſeemed a ſufficient ſecurity againſt theological prejudices, yet the ſame reaſon which made the pope inſert that article, ſhould have induced the king to reject it.

Beſides the public treaty, there were ſeparate articles privately ſworn to by the king; in which he promiſed to ſuſpend the penal laws enacted againſt catholics, to procure a repeal of them in parliament, and to grant a toleration for the exerciſe of the catholic religion in private houſes. Great murmurs, we may believe, would have ariſen againſt theſe articles, had they been made known to the public; ſince we find it to have been imputed as an enormous crime to the prince, that, having received, about this time, a very civil letter from the pope, he was induced to return a very civil anſwer.

Meanwhile Gregory XV. who granted the diſpenſation died, and Urban VIII. was choſen in his place. Upon this event, the nuncio refuſed to deliver the diſpenſation, till it ſhould be renewed by Urban; and that crafty pontiff delayed ſending a new diſpenſation, in hopes that, during the prince's reſidence in Spain, ſome expedient might be fallen upon to effect his converſion. The king of England, as well as the prince, became impatient. On the firſt hint, Charles obtained permiſſion to return; and Philip graced his departure with all the circumſtances of elaborate civility and reſpect, which had attended his reception. He even erected a pillar on the ſpot where they took leave of each other, as a monument of mutual friendſhip; and the prince, having ſworn to the obſervance of all the articles, entered on his journey, and embarked on board the Engliſh fleet at St. Andero.

The character of Charles, compoſed of decency, reſerve, modeſty, ſobriety; virtues ſo agreeable to the manners of the Spaniards; the unparalleled confidence which he had repoſed in their nation; the romantic gallantry which he had practiſed towards their princeſs; all theſe circumſtances, joined to his youth and advanta-

geous figure, had endeared him to the whole court of Madrid, and had impreſſed the moſt favourable ideas of him. But, in the ſame proportion that the prince was beloved and eſteemed, was Buckingham deſpiſed and hated. His behaviour, compoſed of Engliſh familiarity, and French vivacity; his ſallies of paſſion, his indecent freedoms with the prince, his diſſolute pleaſures, his arrogant, impetuous temper, which he neither could, nor cared to diſguiſe; qualities like theſe could, moſt of them, be eſteemed no-where, but to the Spaniards were the objects of peculiar averſion. They could not conceal their ſurpriſe, that ſuch a youth could intrude into a negotiation now conducted to a period by ſo accompliſhed a miniſter as Briſtol, and could aſſume to himſelf all the merit of it. They lamented the Infanta's fate, who muſt be approached by a man, whoſe temerity ſeemed to reſpect no laws, divine or human. And when they obſerved, that he had the imprudence to inſult the Condé duke of Olivarez, their prime miniſter, every one, who was ambitious of paying court to the Spaniſh, became deſirous of ſhowing a contempt for the Engliſh favourite.

The duke of Buckingham told Olivarez, that his own attachment to the Spaniſh nation and to the king of Spain was extreme; that he would contribute to every meaſure which could cement the friendſhip between England and them; and that his peculiar ambition would be to facilitate the prince's marriage with the Infanta. But, he added, with a ſincerity equally inſolent and indiſcreet, *With regard to you, ſir, in particular, you muſt not conſider me as your friend, but muſt ever expect from me all poſſible enmity and oppoſition.* The Condé duke replied, with a becoming dignity, that he very willingly accepted of what was proffered him: And on theſe terms the favourites parted.

Buckingham, ſenſible how odious he was become to the Spaniards, and dreading the influence which that nation would naturally acquire after the arrival of the Infanta, reſolved to employ all his credit in order to prevent the marriage. By what arguments he could engage the

the prince to offer ſuch an inſult to the Spaniſh nation, from whom he had met with ſuch generous treatment; by what colours he could diſguiſe the ingratitude and imprudence of ſuch a meaſure; theſe are totally unknown to us. We may only conjecture, that the many unavoidable cauſes of delay, which had ſo long prevented the arrival of the diſpenſation, had afforded to Buckingham a pretence for throwing on the Spaniards the imputation of inſincerity in the whole treaty. It alſo appears, that his impetuous and domineering character had acquired, what it ever after maintained, a total aſcendant over the gentle and modeſt temper of Charles; and, when the prince left Madrid, he was firmly determined, notwithſtanding all his profeſſions, to break off the treaty with Spain.

It is not likely that Buckingham prevailed ſo eaſily with James to abandon a project, which, during ſo many years, had been the object of all his wiſhes, and which he had now unexpectedly conducted to a happy period. A rupture with Spain, the loſs of two millions, were proſpects little agreeable to this pacific and indigent monarch. But, finding his only ſon bent againſt a match, which had always been oppoſed by his people and his parliament, he yielded to the difficulties which he had not courage or ſtrength of mind ſufficient to overcome. The prince therefore, and Buckingham, on their arrival at London, aſſumed entirely the direction of the negotiation; and it was their buſineſs to ſeek for pretences, by which they could give a colour to their intended breach of treaty.

Though the reſtitution of the Palatinate had ever been conſidered by James as a natural or neceſſary conſequence of the Spaniſh alliance, he had always forbidden his miniſters to inſiſt on it as a preliminary article to the concluſion of the marriage treaty. He conſidered that this principality was now in the hands of the emperor and the duke of Bavaria; and that it was no longer in the king of Spain's power, by a ſingle ſtroke of his pen, to reſtore it to its ancient maſter. The ſtrict alliance of Spain with theſe princes would engage Philip, he

thought, to ſoften ſo diſagreeable a demand by every art of negotiation; and many articles muſt of neceſſity be adjuſted, before ſuch an important point could be effected. It was ſufficient, in James's opinion, if the ſincerity of the Spaniſh court could, for the preſent, be aſcertained; and, dreading farther delays of the marriage, ſo long wiſhed for, he was reſolved to truſt the palatine's full reſtoration to the event of future counſels and deliberations.

This whole ſyſtem of negotiation Buckingham now reverſed; and he overturned every ſuppoſition upon which the treaty had hitherto been conducted. After many fruitleſs artifices were employed to delay or prevent the eſpouſals, Briſtol received poſitive orders not to deliver the proxy, which had been left in his hands, or to finiſh the marriage, till ſecurity were given for the full reſtitution of the Palatinate. Philip underſtood this language. He had been acquainted with the diſguſt received by Buckingham; and deeming him a man capable of ſacrificing to his own ungovernable paſſions, the greateſt intereſts of his maſter and of his country, he had expected, that the unbounded credit of that favourite would be employed to embroil the two nations. Determined, however, to throw the blame of the rupture entirely on the Engliſh, he delivered into Briſtol's hand a written promiſe, by which he bound himſelf to procure the reſtoration of the Palatinate, either by perſuaſion, or by every other poſſible means; and, when he found that this conceſſion gave no ſatisfaction, he ordered the Infanta to lay aſide the title of princeſs of Wales, which ſhe bore after the arrival of the diſpenſation from Rome, and to drop the ſtudy of the Engliſh language. And thinking that ſuch raſh counſels, as now governed the court of England, would not ſtop at the breach of the marriage treaty, he ordered preparations for war immediately to be made throughout all his dominions.

Thus James, having, by means inexplicable from the ordinary rules of politics, conducted ſo near an honourable period, the marriage of his ſon, and the reſtoration of

of his ſon-in-law, failed at laſt of his purpoſe, by means equally unaccountable.

But, though the expedients already uſed by Buckingham were ſufficiently inglorious both for himſelf and for the nation, it was neceſſary for him, ere he could fully effect his purpoſe, to employ artifices ſtill more diſhonourable.

(1624.) The king, having broken with Spain, was obliged to concert new meaſures; and, without the aſſiſtance of parliament, no effectual ſtep of any kind could be taken. The benevolence which, during the interval, had been rigorouſly exacted for recovering the Palatinate, though levied for ſo popular an end, had procured to the king leſs money than ill-will from his ſubjects *. Whatever diſcouragements, therefore, he might receive from his ill agreement with former parliaments, there was a neceſſity of ſummoning once more this aſſembly: And it might be hoped, that the Spaniſh alliance, which gave ſuch umbrage, being abandoned, the commons would now be better ſatisfied with the king's adminiſtration. In his ſpeech to the houſes (29th Feb.), James dropped ſome hints of his cauſes of complaint againſt Spain; and he graciouſly condeſcended to aſk the advice of parliament, which he had ever before rejected, with regard to the conduct of ſo important an affair as his ſon's marriage. Buckingham delivered, to a committee of lords and commons, a long narrative, which he pretended to be true and complete, of every ſtep taken in the negotiations with Philip: But partly by the ſuppreſſion of ſome facts, partly by the falſe colouring laid on others, this narrative was calculated entirely to miſlead the par-

* To ſhow by what violent meaſures benevolences were uſually raiſed, Johnſtone tells us, in his *Rerum Britannicarum Hiſtoria*, that Barnes, a citizen of London, was the firſt who refuſed to contribute any thing; upon which the treaſurer ſent him word, that he muſt immediately prepare himſelf to carry, by poſt, a deſpatch into Ireland. The citizen was glad to make his peace, by paying a hundred pounds; and no one durſt afterwards refuſe the benevolence required.

liament, and to throw on the court of Spain the reproach of artifice and inſincerity. He ſaid that, after many years negotiation, the king found not himſelf any nearer his purpoſe; and that Briſtol had never brought the treaty beyond general profeſſions and declarations: That the prince, doubting the good intentions of Spain, reſolved at laſt to take a journey to Madrid, and put the matter to the utmoſt trial: That he there found ſuch artificial dealing as made him conclude all the ſteps taken towards the marriage to be falſe and deceitful: That the reſtitution of the Palatinate, which had ever been regarded by the king as an eſſential preliminary, was not ſeriouſly intended by Spain: And that, after enduring much bad uſage, the prince was obliged to return to England, without any hopes, either of obtaining the Infanta, or of reſtoring the elector palatine.

This narrative, which, conſidering the importance of the occaſion, and the ſolemnity of that aſſembly to which it was delivered, deſerves great blame, was yet vouched for truth by the prince of Wales, who was preſent; and the king himſelf lent it, indirectly, his authority, by telling the parliament that it was by his orders Buckingham laid the whole affair before them. The conduct of theſe princes it is difficult fully to excuſe. It is in vain to plead the youth and inexperience of Charles; unleſs his inexperience and youth, as is probable *, if not certain, really led him into error, and made him ſwallow all the falſities of Buckingham. And though the king was here hurried from his own meaſures by the impetuoſity of others; nothing ſhould have induced him to proſtitute his character, and ſeem to vouch the impoſtures, at leaſt falſe colourings, of his favourite, of which he had ſo good reaſon to entertain a ſuſpicion †.

Buckingham's narrative, however artfully diſguiſed, contained ſo many contradictory circumſtances, as were

* See note [U] at the end of the volume.

† It muſt, however, be confeſſed, that the king afterwards warned the houſe not to take Buckingham's narrative for his, though it was laid before them by his order. James was probably aſhamed to have been carried ſo far by his favourite.

ſufficient to open the eyes of all reaſonable men; but it concurred ſo well with the paſſions and prejudices of the parliament, that no ſcruple was made of immediately adopting it. Charmed with having obtained at length the opportunity, ſo long wiſhed for, of going to war with papiſts, they little thought of future conſequences; but immediately adviſed the king to break off both treaties with Spain, as well that which regarded the marriage, as that for the reſtitution of the Palatinate. The people, ever greedy of war till they ſuffer by it, diſplayed their triumph at theſe violent meaſures by public bonfires and rejoicings, and by inſults on the Spaniſh miniſters. Buckingham was now the favourite of the public, and of the parliament. Sir Edward Coke, in the houſe of commons, called him the ſaviour of the nation. Every place reſounded with his praiſes. And he himſelf, intoxicated by a popularity which he enjoyed ſo little time, and which he ſo ill deſerved, violated all duty to his indulgent maſter, and entered into cabals with the puritanical members, who had ever oppoſed the royal authority. He even encouraged ſchemes for aboliſhing the order of biſhops, and ſelling the dean and chapter lands, in order to defray the expenſes of a Spaniſh war. And the king, though he ſtill entertained projects for temporiſing, and for forming an accommodation with Spain, was ſo borne down by the torrent of popular prejudices, conducted and increaſed by Buckingham, that he was at laſt obliged, in a ſpeech to parliament, to declare in favour of hoſtile meaſures, if they would engage to ſupport him. Doubts of their ſincerity in this reſpect, doubts which the event ſhowed not to be ill-grounded, had probably been one cauſe of his former pacific and dilatory meaſures.

In his ſpeech on this occaſion, the king began with lamenting his own unhappineſs, that, having ſo long valued himſelf on the epithet of the pacific monarch, he ſhould now, in his old age, be obliged to exchange the bleſſings of peace for the inevitable calamities of war. He repreſented to them the immenſe and continued expenſe requiſite for military armaments; and beſides ſupplies,

plies, from time to time, as they ſhould become neceſſary, he demanded a vote of ſix ſubſidies and twelve fifteenths, as a proper ſtock before the commencement of hoſtilities. He told them of his intolerable debts, chiefly contracted by the ſums remitted to the Palatinate *; but he added, that he did not inſiſt on any ſupply for his own relief, and that it was ſufficient for him, if the honour and ſecurity of the public were provided for. To remove all ſuſpicion, he, who had ever ſtrenuouſly maintained his prerogative, and who had even extended it into ſome points eſteemed doubtful, now made an imprudent conceſſion, of which the conſequences might have proved fatal to royal authority: He voluntarily offered, that the money voted ſhould be paid to a committee of parliament, and ſhould be iſſued by them, without being intruſted to his management. The commons willingly accepted of this conceſſion, ſo unuſual in an Engliſh monarch; they voted him only three ſubſidies and three fifteenths †: And they took no notice of the complaints which he made of his own wants and neceſſities.

Advantage was alſo taken of the preſent good agreement between the king and parliament, in order to paſs the bill againſt monopolies, which had formerly been encouraged by the king, but which had failed by the rupture between him and the laſt houſe of commons. This bill was conceived in ſuch terms as to render it merely declaratory; and all monopolies were condemned as contrary to law and to the known liberties of the people. It was there ſuppoſed, that every ſubject of England had entire power to diſpoſe of his own actions, provided he did no injury to any of his fellow-ſubjects; and that no prerogative of the king, no power of any magiſtrate, nothing but the authority alone of laws, could reſtrain that unlimited freedom. The full proſecution of this noble principle into all its natural conſequences, has

* See note [V] at the end of the volume.

† Leſs than 300,000 pounds.

at

at laſt, through many conteſts, produced that ſingular and happy government which we enjoy at preſent *.

The houſe of commons alſo corroborated, by a new precedent, the important power of impeachment, which, two years before, they had exerciſed in the caſe of chancellor Bacon, and which had lain dormant for near two centuries, except when they ſerved as inſtruments of royal vengeance. The earl of Middleſex had been raiſed, by Buckingham's intereſt, from the rank of a London merchant, to be treaſurer of England; and, by his activity and addreſs, ſeemed not unworthy of that preferment. But, as he incurred the diſpleaſure of his patron, by ſcrupling or refuſing ſome demands of money, during the prince's reſidence in Spain, that favourite vowed revenge, and employed all his credit among the commons to procure an impeachment of the treaſurer. The king was extremely diſſatisfied with this meaſure, and propheſied to the prince and duke, that they would live to have their fill of parliamentary proſecutions. In a ſpeech to the parliament, he endeavoured to apologiſe for Middleſex, and to ſoften the accuſation againſt him. The charge, however, was ſtill maintained by the commons; and the treaſurer was found guilty by the peers, though the miſdemeanours proved againſt him were neither numerous nor important. The accepting of two preſents of five hundred pounds apiece, for paſſing two patents, was the article of greateſt weight. His ſentence was, to be fined 50,000 pounds for the king's uſe, and to ſuffer all the other penalties formerly inflicted upon Bacon. The fine was afterwards remitted by the prince, when he mounted the throne.

This ſeſſion an addreſs was alſo made very diſagreeable to the king, craving the ſevere execution of the laws againſt catholics. His anſwer was gracious and condeſcending; though he declared againſt perſecution, as being an improper meaſure for the ſuppreſſion of any religion, according to the received maxim, *That the blood of the martyrs was the ſeed of the church.* He alſo con-

* See note [W] at the end of the volume.

demned

demned an entire indulgence of the catholics; and ſeemed to repreſent a middle courſe as the moſt humane and moſt politic. He went ſo far as even to affirm, with an oath, that he never had entertained any thoughts of granting a toleration to theſe religioniſts. The liberty of exerciſing their worſhip in private houſes, which he had ſecretly agreed to in the Spaniſh treaty, did not appear to him deſerving that name; and it was probably by means of this explication, he thought that he had ſaved his honour. And as Buckingham, in his narrative, confeſſed that the king had agreed to a temporary ſuſpenſion of the penal laws againſt the catholics, which he diſtinguiſhed from a toleration, a term at that time extremely odious, James naturally deemed his meaning to be ſufficiently explained, and feared not any reproach of falſehood or duplicity, on account of this aſſeveration. After all theſe tranſactions, the parliament was prorogued by the king (29th May), who let fall ſome hints, though in gentle terms, of the ſenſe which he entertained of their unkindneſs, in not ſupplying his neceſſities.

James, unable to reſiſt ſo ſtrong a combination as that of his people, his parliament, his ſon, and his favourite, had been compelled to embrace meaſures, for which, from temper as well as judgment, he had ever entertained a moſt ſettled averſion. Though he diſſembled his reſentment, he began to eſtrange himſelf from Buckingham, to whom he aſcribed all thoſe violent counſels, and whom he conſidered as the author, both of the prince's journey to Spain, and of the breach of the marriage treaty. The arrival of Briſtol he impatiently longed for; and it was by the aſſiſtance of that miniſter, whoſe wiſdom he reſpected, and whoſe views he approved, that he hoped in time to extricate himſelf from his preſent difficulties.

During the prince's abode in Spain, that able negotiator had ever oppoſed, though unſucceſsfully, to the impetuous meaſures ſuggeſted by Buckingham, his own wiſe and well-tempered counſels. After Charles's departure, he ſtill, upon the firſt appearance of a change of reſolution,

tion, interpoſed his advice, and ſtrenuouſly inſiſted on the ſincerity of the Spaniards in the conduct of the treaty, as well as the advantages which England muſt reap from the completion of it. Enraged to find that his ſucceſsful labours ſhould be rendered abortive by the levities and caprices of an inſolent minion, he would underſtand no hints; and nothing but expreſs orders from his maſter could engage him to make that demand which he was ſenſible muſt put a final period to the treaty. He was not therefore ſurpriſed to hear that Buckingham had declared himſelf his open enemy, and, on all occaſions, had thrown out many violent reflections againſt him.

Nothing could be of greater conſequence to Buckingham, than to keep Briſtol at a diſtance both from the king and the parliament; leſt the power of truth, enforced by ſo well-informed a ſpeaker, ſhould open ſcenes, which were but ſuſpected by the former, and of which the latter had as yet entertained no manner of jealouſy. He applied therefore to James, whoſe weakneſs, diſguiſed to himſelf under the appearance of fineſſe and diſſimulation, was now become abſolutely incurable. A warrant for ſending Briſtol to the Tower was iſſued immediately upon his arrival in England; and though he was ſoon releaſed from confinement, yet orders were carried him from the king, to retire to his country-ſeat, and to abſtain from all attendance in parliament. He obeyed; but loudly demanded an opportunity of juſtifying himſelf, and of laying his whole conduct before his maſter. On all occaſions he proteſted his innocence, and threw on his enemy the blame of every miſcarriage. Buckingham, and, at his inſtigation, the prince, declared, that they would be reconciled to Briſtol, if he would but acknowledge his errors and ill-conduct: But the ſpirited nobleman, jealous of his honour, refuſed to buy favour at ſo high a price. James had the equity to ſay, that the inſiſting on that condition was a ſtrain of unexampled tyranny: But Buckingham ſcrupled not to aſſert, with his uſual preſumption, that neither the king, the prince, nor himſelf, were at yet ſatisfied of Briſtol's innocence.

While

While the attachment of the prince to Buckingham, while the timidity of James, or the ſhame of changing his favourite, kept the whole court in awe; the Spaniſh ambaſſador, Inoioſa, endeavoured to open the king's eyes, and to cure his fears, by inſtilling greater fears into him. He privately ſlipped into his hand a paper, and gave him a ſignal to read it alone. He there told him, that he was as much a priſoner at London as ever Francis I. was at Madrid; that the prince and Buckingham had conſpired together, and had the whole court at their devotion; that cabals among the popular leaders in parliament were carrying on to the extreme prejudice of his authority; that the project was to confine him to ſome of his hunting-ſeats, and to commit the whole adminiſtration to Charles; and that it was neceſſary for him, by one vigorous effort, to vindicate his authority, and to puniſh thoſe who had ſo long and ſo much abuſed his friendſhip and beneficence.

What credit James gave to this repreſentation does not appear. He only diſcovered ſome faint ſymptoms, which he inſtantly retracted, of diſſatisfaction with Buckingham. All his public meaſures, and all the alliances into which he entered, were founded on the ſyſtem of enmity to the Auſtrian family, and of war to be carried on for the recovery of the Palatinate.

The States of the United Provinces were, at this time, governed by Maurice; and that aſpiring prince, ſenſible that his credit would languiſh during peace, had, on the expiration of the twelve years truce, renewed the war with the Spaniſh monarchy. His great capacity in the military art would have compenſated the inferiority of his forces, had not the Spaniſh armies been commanded by Spinola, a general equally renowned for conduct, and more celebrated for enterpriſe and activity. In ſuch a ſituation, nothing could be more welcome to the republic than the proſpect of a rupture between James and the catholic king; and they flattered themſelves, as well from the natural union of intereſts between them and England, as from the influence of the preſent conjuncture, that powerful ſuccours would ſoon march to their relief.

Ac-

Accordingly, an army of ſix thouſand men was levied in England, and ſent over to Holland, commanded by four young noblemen, Eſſex, Oxford, Southampton, and Willoughby, who were ambitious of diſtinguiſhing themſelves in ſo popular a cauſe, and of acquiring military experience under ſo renowned a captain as Maurice.

It might reaſonably have been expected, that, as religious zeal had made the recovery of the Palatinate appear a point of ſuch vaſt importance in England, the ſame effect might have been produced in France, by the force merely of political views and conſiderations. While that principality remained in the hands of the houſe of Auſtria, the French dominions were ſurrounded on all ſides by the poſſeſſions of that ambitious family, and might be invaded by ſuperior forces from every quarter. It concerned the king of France, therefore, to prevent the peaceable eſtabliſhment of the emperor in his new conqueſts; and both by the ſituation and greater power of his ſtate, he was much better enabled than James to give ſuccour to the diſtreſſed palatine. But though theſe views eſcaped not Louis, nor cardinal Richlieu, who now began to acquire an aſcendant in the French court; that miniſter was determined to pave the way for his enterpriſes by firſt ſubduing the hugonots, and thence to proceed, by mature counſels, to humble the houſe of Auſtria. The proſpect, however, of a conjunction with England was preſently embraced, and all imaginable encouragement was given to every propoſal for conciliating a marriage between Charles and the princeſs Henrietta.

Notwithſtanding the ſenſible experience, which James might have acquired, of the unſurmountable antipathy entertained by his ſubjects againſt an alliance with catholics, he ſtill perſevered in the opinion, that his ſon would be degraded by receiving into his bed a princeſs of leſs than royal extraction. After the rupture, therefore, with Spain, nothing remained but an alliance with France; and to that court he immediately applied himſelf. The ſame allurements had not here place, which had ſo long entangled him in the Spaniſh negotiation: The

portion promiſed was much inferior; and the peaceable reſtoration of the palatine could not thence be expected. But James was afraid leſt his ſon ſhould be altogether diſappointed of a bride; and therefore, as ſoon as the French king demanded, for the honour of his crown, the ſame terms which had been granted to the Spaniſh, he was prevailed with to comply. And as the prince, during his abode in Spain, had given a verbal promiſe to allow the Infanta the education of her children till the age of thirteen, this article was here inſerted in the treaty; and to that imprudence is generally imputed the preſent diſtreſſed condition of his poſterity. The court of England, however, it muſt be confeſſed, always pretended, even in their memorials to the French court, that all the favourable conditions granted to the catholics, were inſerted in the marriage treaty merely to pleaſe the pope, and that their ſtrict execution was, by an agreement with France, ſecretly diſpenſed with *.

As much as the concluſion of the marriage treaty was acceptable to the king, as much were all the military enterpriſes diſagreeable, both from the extreme difficulty of the undertaking in which he was engaged, and from his own incapacity for ſuch a ſcene of action.

During the Spaniſh negotiation, Heidelburg and Manheim had been taken by the Imperial forces; and Frankendale, though the garriſon was entirely Engliſh, was cloſely beſieged by them. After reiterated remonſtrances from James, Spain interpoſed, and procured a ſuſpenſion of arms during eighteen months. But as Frankendale was the only place of Frederic's ancient dominions which was ſtill in his hands, Ferdinand, deſirous of withdrawing his forces from the Palatinate, and of leaving that ſtate in ſecurity, was unwilling that ſo important a fortreſs ſhould remain in the poſſeſſion of the enemy. To compromiſe all differences, it was agreed to ſequeſtrate it into the hands of the Infanta as a neutral perſon; upon condition that, after the expiration of the truce, it ſhould be delivered to Frederic; though peace ſhould not, at

* See note [X] at the end of the volume.

that

that time, be concluded between him and Ferdinand. After the unexpected rupture with Spain, the Infanta, when James demanded the execution of the treaty, offered him peaceable poſſeſſion of Frankendale, and even promiſed a ſafe-conduct for the garriſon through the Spaniſh Netherlands: But there was ſome territory of the empire interpoſed between her ſtate and the Palatinate; and for paſſage over that territory, no terms were ſtipulated. By this chicane, which certainly had not been employed if amity with Spain had been preſerved, the palatine was totally diſpoſſeſſed of his patrimonial dominions.

The Engliſh nation, however, and James's warlike council, were not diſcouraged. It was ſtill determined to re-conquer the Palatinate; a ſtate lying in the midſt of Germany, poſſeſſed entirely by the emperor and duke of Bavaria, ſurrounded by potent enemies, and cut off from all communication with England. Count Manſfeldt was taken into pay; and an Engliſh army of twelve thouſand foot and two hundred horſe was levied by a general preſs throughout the kingdom. During the negotiation with France, vaſt promiſes had been made, though in general terms, by the French miniſtry; not only that a free paſſage ſhould be granted to the Engliſh troops, but that powerful ſuccours ſhould alſo join them in their march towards the Palatinate. In England, all theſe profeſſions were haſtily interpreted to be poſitive engagements. The troops under Mansfeldt's command were embarked at Dover; but, upon ſailing over to Calais (December), found no orders yet arrived for their admiſſion. After waiting in vain during ſome time, they were obliged to ſail towards Zealand; where it had alſo been neglected to concert proper meaſures for their diſembarkation; and ſome ſcruples aroſe among the States on account of the ſcarcity of proviſions. Meanwhile a peſtilential diſtemper creeped in among the Engliſh forces, ſo long cooped up in narrow veſſels. Half the army died while on board; and the other half, weakened by ſickneſs, appeared too ſmall a body to march into the Palatinate. (1625.) And thus ended this ill-concerted

and fruitleſs expedition; the only diſaſter which happened to England during the proſperous and pacific reign of James.

That reign was now drawing towards a concluſion. With peace, ſo ſucceſsfully cultivated, and ſo paſſionately loved by this monarch, his life alſo terminated. This ſpring he was ſeized with a tertian ague; and, when encouraged by his courtiers with the common proverb, that ſuch a diſtemper, during that ſeaſon, was health for a king, he replied, that the proverb was meant of a young king. After ſome fits, he found himſelf extremely weakened, and ſent for the prince, whom he exhorted to bear a tender affection for his wife, but to preſerve a conſtancy in religion; to protect the church of England; and to extend his care towards the unhappy family of the palatine. With decency and courage he prepared himſelf for his end; and he expired on the 27th of March, after a reign over England of twenty-two years and ſome days; and in the fifty-ninth year of his age. His reign over Scotland was almoſt of equal duration with his life. In all hiſtory, it would be difficult to find a reign leſs illuſtrious, yet more unſpotted and unblemiſhed, than that of James in both kingdoms.

No prince, ſo little enterpriſing and ſo inoffenſive, was ever ſo much expoſed to the oppoſite extremes of calumny and flattery, of ſatire and panegyric. And the factions, which began in his time, being ſtill continued, have made his character be as much diſputed to this day, as is commonly that of princes who are our contemporaries. Many virtues, however, it muſt be owned, he was poſſeſſed of; but ſcarce any of them pure, or free from the contagion of the neighbouring vices. His generoſity bordered on profuſion, his learning on pedantry, his pacific diſpoſition on puſillanimity, his wiſdom on cunning, his friendſhip on light fancy and boyiſh fondneſs. While he imagined that he was only maintaining his own authority, he may perhaps be ſuſpected, in a few of his actions, and ſtill more of his pretenſions, to have ſomewhat encroached on the liberties of his people: While he endeavoured, by an exact neutrality, to acquire the good-

good-will of all his neighbours, he was able to preſerve fully the eſteem and regard of none. His capacity was conſiderable; but fitter to diſcourſe on general maxims than to conduct any intricate buſineſs: His intentions were juſt; but more adapted to the conduct of private life, than to the government of kingdoms. Awkward in his perſon, and ungainly in his manners, he was ill qualified to command reſpect; partial and undiſcerning in his affections, he was little fitted to acquire general love. Of a feeble temper more than of a frail judgment: Expoſed to our ridicule from his vanity; but exempt from our hatred by his freedom from pride and arrogance. And upon the whole, it may be pronounced of his character, that all his qualities were ſullied with weakneſs and embelliſhed by humanity. Of political courage he certainly was deſtitute; and thence chiefly is derived the ſtrong prejudice which prevails againſt his perſonal bravery: An inference, however, which muſt be owned, from general experience, to be extremely fallacious.

He was only once married, to Anne of Denmark, who died on the third of March 1619, in the forty-fifth year of her age; a woman eminent neither for her vices nor her virtues. She loved ſhows and expenſive amuſements; but poſſeſſed little taſte in her pleaſures. A great comet appeared about the time of her death; and the vulgar eſteemed it the prognoſtic of that event. So conſiderable in their eyes are even the moſt inſignificant princes.

He left only one ſon, Charles, then in the twenty-fifth year of his age; and one daughter, Elizabeth, married to the elector palatine. She was aged twenty-nine years. Thoſe alone remained of ſix legitimate children born to him. He never had any illegitimate; and he never diſcovered any tendency, even the ſmalleſt, towards a paſſion for any miſtreſs.

The archbiſhops of Canterbury, during this reign, were Whytgift, who died in 1604; Bancroft, in 1610; Abbot, who ſurvived the king. The chancellors, lord Elleſmore, who reſigned in 1617; Bacon was firſt lord-keeper till 1619; then was created chancellor, and was

diſplaced in 1621; Williams, biſhop of Lincoln, was created lord-keeper in his place. The high-treaſurers were, the earl of Dorſet, who died in 1609; the earl of Saliſbury, in 1612; the earl of Suffolk, fined and diſplaced for bribery in 1618; lord Mandeville, reſigned in 1621; the earl of Middleſex, diſplaced in 1624; the earl of Marlborough ſucceeded. The lord-admirals were, the earl of Nottingham, who reſigned in 1618; the earl, afterwards duke of Buckingham. The ſecretaries of ſtate were, the earl of Saliſbury, ſir Ralph Winwood, Nanton, Calvert, lord Conway, ſir Albertus Moreton.

The numbers of the houſe of lords, in the firſt parliament of this reign, were ſeventy-eight temporal peers. The numbers in the firſt parliament of Charles were ninety-ſeven. Conſequently James, during that period, created nineteen new peerages above thoſe that expired.

The houſe of commons, in the firſt parliament of this reign, conſiſted of four hundred and ſixty-ſeven members. It appears, that four boroughs revived their charters, which they had formerly neglected. And as the firſt parliament of Charles conſiſted of four hundred and ninety-four members, we may infer that James created ten new boroughs.

APPENDIX

TO THE

REIGN OF JAMES I.*

Civil government of England during this period—Eccleſiaſtical government — Manners—Finances—Navy—Commerce — Manufactures — Colonies—Learning and arts.

IT may not be improper, at this period, to make a pauſe; and to take a ſurvey of the ſtate of the kingdom, with regard to government, manners, finances, arms, trade, learning. Where a juſt notion is not formed of theſe particulars, hiſtory can be little inſtructive, and often will not be intelligible.

We may ſafely pronounce, that the Engliſh government, at the acceſſion of the Scottiſh line, was much more arbitrary than it is at preſent; the prerogative leſs limited, the liberties of the ſubject leſs accurately defined and ſecured. Without mentioning other particulars, the courts alone of high commiſſion and ſtar-chamber were ſufficient to lay the whole kingdom at the mercy of the prince.

The court of high commiſſion had been erected by Elizabeth, in conſequence of an act of parliament, paſſed in the beginning of her reign: By this act, it was thought proper, during the great revolution of religion, to arm

* This hiſtory of the houſe of Stuart was written and publiſhed by the author before the hiſtory of the houſe of Tudor. Hence it happens that ſome paſſages, particularly in the preſent Appendix, may ſeem to be repetitions of what was formerly delivered in the reign of Elizabeth. The author, in order to obviate this objection, has cancelled ſome few paſſages in the foregoing chapters.

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the ſovereign with full powers, in order to diſcourage and ſuppreſs oppoſition. All appeals from the inferior eccleſiaſtical courts were carried before the high commiſſion; and, of conſequence, the whole life and doctrine of the clergy lay directly under its inſpection. Every breach of the act of uniformity, every refuſal of the ceremonies, was cognizable in this court; and during the reign of Elizabeth, had been puniſhed by deprivation, by fine, confiſcation, and impriſonment. James contented himſelf with the gentler penalty of deprivation; nor was that puniſhment inflicted with rigour on every offender. Archbiſhop Spotſwood tells us, that he was informed by Bancroft, the primate, ſeveral years after the king's acceſſion, that not above forty-five clergymen had then been deprived. All the catholics too were liable to be puniſhed by this court, if they exerciſed any act of their religion, or ſent abroad their children or other relations, to receive that education which they could not procure them in their own country. Popiſh prieſts were thrown into priſon, and might be delivered over to the law, which puniſhed them with death; though that ſeverity had been ſparingly exerciſed by Elizabeth, and never almoſt by James. In a word, that liberty of conſcience, which we ſo highly and ſo juſtly value at preſent, was totally ſuppreſſed; and no exerciſe of any religion, but the eſtabliſhed, was permitted throughout the kingdom. Any word or writing, which tended towards hereſy or ſchiſm, was puniſhable by the high commiſſioners or any three of them: They alone were judges what expreſſions had that tendency: They proceeded not by information, but upon rumour, ſuſpicion, or according to their diſcretion: They adminiſtered an oath, by which the party cited before them, was bound to anſwer any queſtion which ſhould be propounded to him: Whoever refuſed this oath, though he pleaded ever ſo juſtly, that he might thereby be brought to accuſe himſelf or his deareſt friend, was puniſhable by impriſonment: And in ſhort, an inquiſitorial tribunal, with all its terrors and iniquities, was erected in the kingdom. Full diſcretionary powers were beſtowed with regard to the inquiry, trial, ſentence,

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and penalty inflicted; excepting only that corporal puniſhments were reſtrained by that patent of the prince which erected the court, not by the act of parliament, which empowered him. By reaſon of the uncertain limits which ſeparate eccleſiaſtical from civil cauſes, all accuſations of adultery and inceſt were tried by the court of high commiſſion; and every complaint of wives againſt their huſbands was there examined and diſcuſſed. On like pretences, every cauſe which regarded conſcience, that is, every cauſe, could have been brought under their juriſdiction.

But there was a ſufficient reaſon, why the king would not be ſolicitous to ſtretch the juriſdiction of this court: The ſtar-chamber poſſeſſed the ſame authority in civil matters; and its methods of proceeding were equally arbitrary and unlimited. The origin of this court was derived from the moſt remote antiquity *; though it is pretended that its power had firſt been carried to the greateſt height by Henry VII. In all times, however, it is confeſſed, it enjoyed authority; and at no time was its authority circumſcribed, or method of proceeding directed, by any law or ſtatute.

We have had already, or ſhall have ſufficient occaſion, during the courſe of this hiſtory, to mention the diſpenſing power, the power of impriſonment, of exacting loans † and benevolence, of preſſing and quartering ſoldiers, of altering the cuſtoms, of erecting monopolies. Theſe branches of power, if not directly oppoſite to the principles of all free government, muſt, at leaſt, be acknowledged dangerous to freedom in a monarchical conſtitution, where an eternal jealouſy muſt be preſerved againſt the ſovereign, and no diſcretionary powers muſt

* In Chamber's caſe it was the unanimous opinion of the court of king's bench, that the court of ſtar-chamber was not derived from the ſtatute of Henry VII. but was a court many years before, and one of the moſt high and honourable courts of juſtice.

† During ſeveral centuries, no reign had paſſed without ſome forced loans from the ſubject.

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ever be entruſted to him, by which the property or perſonal liberty of any ſubject can be affected. The kings of England, however, had almoſt conſtantly exerciſed theſe powers; and if, on any occaſion, the prince had been obliged to ſubmit to laws enacted againſt them, he had ever, in practice, eluded theſe laws, and returned to the ſame arbitrary adminiſtration. During almoſt three centuries before the acceſſion of James, the regal authority, in all theſe particulars, had never once been called in queſtion.

We may alſo obſerve, that the principles in general which prevailed during that age, were ſo favourable to monarchy, that they beſtowed on it an authority almoſt abſolute and unlimited, ſacred and indefeaſible.

The meetings of parliament were ſo precarious; their ſeſſions ſo ſhort, compared to the vacation; that, when men's eyes were turned upwards in ſearch of ſovereign power, the prince alone was apt to ſtrike them as the only permanent magiſtrate, inveſted with the whole majeſty and authority of the ſtate. The great complaiſance too of parliaments during ſo long a period, had extremely degraded and obſcured thoſe aſſemblies; and as all inſtances of oppoſition to prerogative muſt have been drawn from a remote age, they were unknown to a great many, and had the leſs authority even with thoſe who were acquainted with them. Theſe examples, beſides, of liberty had commonly in ancient times been accompanied with ſuch circumſtances of violence, convulſion, civil war, and diſorder, that they preſented but a diſagreeable idea to the inquiſitive part of the people, and afforded ſmall inducement to renew ſuch diſmal ſcenes. By a great many, therefore, monarchy, ſimple and unmixed, was conceived to be the government of England; and thoſe popular aſſemblies were ſuppoſed to form only the ornament of the fabric, without being in any degree eſſential to its being and exiſtence*. The prerogative of the crown was repreſented by lawyers as ſomething real and durable; like thoſe eternal eſſences of the ſchools

* See note [Y] at the end of the volume.

which

which no time or force could alter. The ſanction of religion was by divines called in aid; and the Monarch of heaven was ſuppoſed to be intereſted in ſupporting the authority of his earthly vicegerent. And though it is pretended that theſe doctrines were more openly inculcated and more ſtrenuouſly inſiſted on during the reign of the Stuarts, they were not then invented; and were only found by the court to be more neceſſary at that period, by reaſon of the oppoſite doctrines which *began* to be promulgated by the puritanical party *.

In conſequence of theſe exalted ideas of kingly authority, the prerogative, beſides the articles of juriſdiction founded on precedent, was by many ſuppoſed to poſſeſs an inexhauſtible fund of latent powers, which might be exerted on any emergence. In every government, neceſſity, when real, ſuperſedes all laws and levels all limitations: But in the Engliſh government, convenience alone was conceived to authoriſe any extraordinary act of regal power, and to render it obligatory on the people. Hence the ſtrict obedience required to proclamations, during all periods of the Engliſh hiſtory; and if James has incurred blame on account of his edicts, it is only becauſe he too frequently iſſued them at a time when they began to be leſs regarded, not becauſe he firſt aſſumed or extended to an unuſual degree that exerciſe of authority. Of his maxims in a parallel caſe, the following is a pretty remarkable inſtance.

Queen Elizabeth had appointed commiſſioners for the inſpection of priſons, and had beſtowed on them full diſcretionary powers to adjuſt all differences between priſoners and their creditors, to compound debts, and to give liberty to ſuch debtors as they found honeſt, and inſolvent. From the uncertain and undefined nature of the Engliſh conſtitution, doubts ſprang up in many, that this commiſſion was contrary to law; and it was repreſented in that light to James. He forbore therefore renewing the commiſſion till the fifteenth of his reign; when complaints roſe ſo high, with re-

* See note [Z] at the end of the volume.

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gard to the abuſes practiſed in priſons, that he thought himſelf obliged to overcome his ſcruples, and to appoint new commiſſioners inveſted with the ſame diſcretionary powers which Elizabeth had formerly conferred.

Upon the whole, we muſt conceive that monarchy, on the acceſſion of the houſe of Stuart, was poſſeſſed of a very extenſive authority: An authority, in the judgment of all, not exactly limited; in the judgment of ſome, not limitable. But, at the ſame time, this authority was founded merely on the opinion of the people, influenced by ancient precedent and example. It was not ſupported either by money or by force of arms. And, for this reaſon, we need not wonder that the princes of that line were ſo extremely jealous of their prerogative; being ſenſible that, when thoſe claims were raviſhed from them, they poſſeſſed no influence by which they could maintain their dignity, or ſupport the laws. By the changes which have ſince been introduced, the liberty and independence of individuals has been rendered much more full, entire, and ſecure; that of the public more uncertain and precarious. And it ſeems a neceſſary, though perhaps a melancholy truth, that in every government, the magiſtrate muſt either poſſeſs a large revenue and a military force, or enjoy ſome diſcretionary powers, in order to execute the laws and ſupport his own authority.

We have had occaſion to remark in ſo many inſtances, the bigotry which prevailed in that age, that we can look for no toleration among the different ſects. Two Arians, under the title of heretics, were puniſhed by fire during this period; and no one reign ſince the reformation had been free from like barbarities. Stowe ſays, that theſe Arians were offered their pardon at the ſtake, if they would merit it by a recantation. A madman who called himſelf the Holy Ghoſt was, without any indulgence for his frenzy, condemned to the ſame puniſhment. Twenty pounds a month could by law be levied on every one who frequented not the eſtabliſhed worſhip. This rigorous law, however, had one indulgent clauſe, that

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the fines exacted ſhould not exceed two-thirds of the yearly income of the perſon. It had been uſual for Elizabeth to allow thoſe penalties to run on for ſeveral years; and to levy them all at once, to the utter ruin of ſuch catholics as had incurred her diſpleaſure. James was more humane in this, as in every other reſpect. The puritans formed a ſect which ſecretly lurked in the church, but pretended not to any ſeparate worſhip or diſcipline. An attempt of that kind would have been univerſally regarded as the moſt unpardonable enormity. And had the king been diſpoſed to grant the puritans a full toleration for a ſeparate exerciſe of their religion, it is certain, from the ſpirit of the times, that this ſect itſelf would have deſpiſed and hated him for it, and would have reproached him with lukewarmneſs and indifference in the cauſe of religion. They maintained, that they themſelves were the only pure church; that their principles and practices ought to be eſtabliſhed by law; and that no others ought to be tolerated. It may be queſtioned, therefore, whether the adminiſtration at this time could with propriety deſerve the appellation of perſecutors with regard to the puritans. Such of the clergy, indeed, as refuſed to comply with the legal ceremonies, were deprived of their livings, and ſometimes in Elizabeth's reign were otherwiſe puniſhed: And ought any man to accept of an office or benefice in an eſtabliſhment, while he declines compliance with the fixed and known rules of that eſtabliſhment? But puritans were never puniſhed for frequenting ſeparate congregations; becauſe there were none ſuch in the kingdom; and no proteſtant ever aſſumed or pretended to the right of erecting them. The greateſt well-wiſhers of the puritanical ſect would have condemned a practice, which in that age was univerſally, by ſtateſmen and eccleſiaſtics, philoſophers and zealots, regarded as ſubverſive of civil ſociety. Even ſo great a reaſoner as lord Bacon thought that uniformity in religion was abſolutely neceſſary to the ſupport of government, and that no toleration could with ſafety be given to ſectaries. Nothing but the imputation of idolatry, which was thrown on the catholic

religion, could juſtify, in the eyes of the puritans themſelves, the ſchiſm made by the hugonots and other proteſtants, who lived in popiſh countries.

In all former ages, not wholly excepting even thoſe of Greece and Rome, religious ſects and hereſies and ſchiſms had been eſteemed dangerous if not pernicious to civil government, and were regarded as the ſource of faction, and private combination, and oppoſition to the laws. The magiſtrate, therefore, applied himſelf directly to the cure of this evil as of every other; and very naturally attempted by penal ſtatutes to ſuppreſs thoſe ſeparate communities, and puniſh the obſtinate innovators. But it was found by fatal experience, and after ſpilling an ocean of blood in thoſe theological quarrels, that the evil was of a peculiar nature, and was both inflamed by violent remedies, and diffuſed itſelf more rapidly throughout the whole ſociety. Hence, though late, aroſe the paradoxical principle and ſalutary practice of toleration.

The liberty of the preſs was incompatible with ſuch maxims and ſuch principles of government as then prevailed, and was therefore quite unknown in that age. Beſides employing the two terrible courts of ſtar-chamber and high commiſſion, whoſe powers were unlimited, queen Elizabeth exerted her authority by reſtraints upon the preſs. She paſſed a decree in her court of ſtar-chamber, that is, by her own will and pleaſure, forbidding any book to be printed in any place but in London, Oxford, and Cambridge: And another, in which ſhe prohibited, under ſevere penalties, the publiſhing of any book or pamphlet *againſt the form or meaning of any reſtraint or ordinance, contained, or to be contained, in any ſtatute or laws of this realm, or in any injunction made or ſet forth by her majeſty or her privy-council, or againſt the true ſenſe or meaning of any letters patent, commiſſions or prohibitions under the great ſeal of England.* James extended the ſame penalties to the importing of ſuch books from abroad. And to render theſe edicts more effectual, he afterwards inhibited the printing of any book without a licence from the archbiſhop

biſhop of Canterbury, the archbiſhop of York, the biſhop of London, or the vice-chancelior of one of the univerſities, or of ſome perſon appointed by them.

In tracing the coherence among the ſyſtems of modern theology, we may obſerve, that the doctrine of abſolute decrees has ever been intimately connected with the enthuſiaſtic ſpirit; as that doctrine affords the higheſt ſubject of joy, triumph, and ſecurity to the ſuppoſed elect, and exalts them by infinite degrees above the reſt of mankind. All the firſt reformers adopted theſe principles; and the Janſeniſts too, a fanatical ſect in France, not to mention the Mahometans in Aſia, have ever embraced them. As the Lutheran eſtabliſhments were ſubjected to epiſcopal juriſdiction, their enthuſiaſtic genius gradually decayed, and men had leiſure to perceive the abſurdity of ſuppoſing God to puniſh by infinite torments what he himſelf from all eternity had unchangeably decreed. The king, though at this time his Calviniſtic education had rivetted him in the doctrine of abſolute decrees, yet, being a zealous partiſan of epiſcopacy, was inſenſibly engaged, towards the end of his reign, to favour the milder theology of Arminius. Even in ſo great a doctor, the genius of the religion prevailed over its ſpeculative tenets; and with him the whole clergy gradually dropped the more rigid principles of abſolute reprobation and unconditional decrees: Some noiſe was at firſt made about theſe innovations; but being drowned in the fury of factions and civil wars which enſued, the ſcholaſtic arguments made an inſignificant figure amidſt thoſe violent diſputes about civil and eccleſiaſtical power with which the nation was agitated. And at the reſtoration, the church, though ſhe ſtill retained her old ſubſcriptions and articles of faith, was found to have totally changed her ſpeculative doctrines, and to have embraced tenets more ſuitable to the genius of her diſcipline and worſhip, without its being poſſible to aſſign the preciſe period in which the alteration was produced.

It may be worth obſerving, that James, from his great deſire to promote controverſial divinity, erected a

college at Chelſea for the entertainment of twenty perſons, who ſhould be entirely employed in refuting the papiſts and puritans. All the efforts of the great Bacon could not procure an eſtabliſhment for the cultivation of natural philoſophy: Even to this day, no ſociety has been inſtituted for the poliſhing and fixing of our language. The only encouragement which the ſovereign in England has ever given to any thing that has the appearance of ſcience, was this ſhort-lived eſtabliſhment of James; an inſtitution quite ſuperfluous, conſidering the unhappy propenſion which at that time ſo univerſally poſſeſſed the nation for polemical theology.

The manners of the nation were agreeable to the monarchical government which prevailed; and contained not that ſtrange mixture which at preſent diſtinguiſhes England from all other countries. Such violent extremes were then unknown, of induſtry and debauchery, frugality and profuſion, civility and ruſticity, fanaticiſm and ſcepticiſm. Candour, ſincerity, modeſty, are the only qualities which the Engliſh of that age poſſeſſed in common with the preſent.

High pride of family then prevailed; and it was by a dignity and ſtatelineſs of behaviour, that the gentry and nobility diſtinguiſhed themſelves from the common people. Great riches, acquired by commerce, were more rare, and had not as yet been able to confound all ranks of men, and render money the chief foundation of diſtinction. Much ceremony took place in the common intercourſe of life, and little familiarity was indulged by the great. The advantages which reſult from opulence are ſo ſolid and real, that thoſe who are poſſeſſed of them need not dread the near approaches of their inferiors. The diſtinctions of birth and title, being more empty and imaginary, ſoon vaniſh upon familiar acceſs and acquaintance.

The expenſes of the great conſiſted in pomp and ſhow, and a numerous retinue, rather than in convenience and true pleaſure. The earl of Nottingham, in his embaſſy to Spain, was attended by 500 perſons: The earl of Hertford, in that to Bruſſels, carried 300 gentlemen along

along with him. Lord Bacon has remarked, that the Engliſh nobility in his time maintained a larger retinue of ſervants than the nobility of any other nation, except, perhaps, the Polanders.

Civil honours, which now hold the firſt place, were at that time ſubordinate to the military. The young gentry and nobility were fond of diſtinguiſhing themſelves by arms. The fury of duels too prevailed more than at any time before or ſince. This was the turn that the romantic chivalry for which the nation was formerly ſo renowned, had lately taken.

Liberty of commerce between the ſexes was indulged; but without any licentiouſneſs of manners. The court was very little an exception to this obſervation. James had rather entertained an averſion and contempt for the females; nor were thoſe young courtiers, of whom he was ſo fond, able to break through the eſtabliſhed manners of the nation.

The firſt ſedan chair ſeen in England was in this reign, and was uſed by the duke of Buckingham; to the great indignation of the people, who exclaimed that he was employing his fellow-creatures to do the ſervice of beaſts.

The country life prevails at preſent in England beyond any cultivated nation in Europe; but it was then much more generally embraced by all the gentry. The increaſe of arts, pleaſures, and ſocial commerce, was juſt beginning to produce an inclination for the ſofter and the more civilized life of the city. James diſcouraged as much as poſſible this alteration of manners. "He was wont to be very earneſt," as lord Bacon tells us, "with the country gentlemen to go from London "to their country ſeats. And ſometimes he would ſay "thus to them: *Gentlemen, at London you are like "ſhips in a ſea, which ſhow like nothing; but in your "country villages you are like ſhips in a river, which "look like great things.*"

He was not content with reproof and exhortation. As queen Elizabeth had perceived with regret the increaſe of London, and had reſtrained all new buildings

by proclamation; James, who found that these edicts were not exactly obeyed, frequently renewed them; though a strict execution seems still to have been wanting. He also issued reiterated proclamations in imitation of his predecessor; containing severe menaces against the gentry who lived in town. This policy is contrary to that which has ever been practised by all princes who studied the increase of their authority. To allure the nobility to court; to engage them in expensive pleasures or employments which dissipate their fortune; to increase their subjection to ministers by attendance; to weaken their authority in the provinces by absence: These have been the common arts of arbitrary government. But James, besides that he had certainly laid no plan for extending his power, had no money to support a splendid court, or bestow on a numerous retinue of gentry and nobility. He thought too, that, by their living together, they became more sensible of their own strength, and were apt to indulge too curious researches into matters of government. To remedy the present evil, he was desirous of dispersing them into their country-seats; where, he hoped, they would bear a more submissive reverence to his authority, and receive less support from each other. But the contrary effect soon followed. The riches amassed during their residence at home rendered them independent. The influence acquired by hospitality made them formidable. They would not be led by the court: They could not be driven: And thus the system of the English government received a total and a sudden alteration in the course of less than forty years.

The first rise of commerce and the arts had contributed, in preceding reigns, to scatter those immense fortunes of the barons which rendered them so formidable both to king and people. The farther progress of these advantages began during this reign to ruin the small proprietors of land; and, by both events, the gentry, or that rank which composed the house of commons, enlarged their power and authority. The early improvements in luxury were seized by the greater nobles,

nobles, whoſe fortunes, placing them above frugality, or even calculation, were ſoon diſſipated in expenſive pleaſures. Theſe improvements reached at laſt all men of property; and thoſe of ſlender fortunes, who at that time were often men of family, imitating thoſe of a rank immediately above them, reduced themſelves to poverty. Their lands, coming to ſale, ſwelled the eſtates of thoſe who poſſeſſed riches ſufficient for the faſhionable expenſes; but who were not exempted from ſome care and attention to their domeſtic economy.

The gentry alſo of that age were engaged in no expenſe, except that of country hoſpitality. No taxes were levied, no wars waged, no attendance at court expected, no bribery or profuſion required at elections *. Could human nature ever reach happineſs, the condition of the Engliſh gentry under ſo mild and benign a prince, might merit that appellation.

The amount of the king's revenue, as it ſtood in 1617, is thus ſtated †: Of crown lands 80,000 pounds a-year; by cuſtoms and new impoſitions, near 190,000; by wards and other various branches of revenue, beſide purveyance, 180,000. The whole amounting to 450,000. The king's ordinary diſburſements, by the ſame account, are ſaid to exceed this ſum thirty-ſix thouſand pounds ‡. All the extraordinary ſums which James had raiſed by ſubſidies, loans, ſale of lands, ſale of the title of baronet, money paid by the States, and by the king of France, benevolences, &c. were in the whole about two millions two hundred thouſand pounds: Of which

* Men ſeem then to have been ambitious of repreſenting the counties, but careleſs of the boroughs. A ſeat in the houſe was in itſelf of ſmall importance: But the former became a point of honour among the gentlemen. Journ. 10 Feb. 1620. Towns, which had formerly neglected their right of ſending members, now began to claim it. Journ. 26 Feb. 1623.

† An Abſtract or brief Declaration of his Majeſty's Revenue, with the Aſſignations and Defalcations upon the ſame.

‡ The exceſs was formerly greater, as appears by Saliſbury's Account. See chap. 2.

the

the ſale of lands afforded ſeven hundred and ſeventy-five thouſand pounds. The extraordinary diſburſements of the king amounted to two millions; beſides above four hundred thouſand pounds given in preſents. Upon the whole, a ſufficient reaſon appears, partly from neceſſary expenſes, partly for want of a rigid economy, why the king, even early in his reign, was deeply involved in debt, and found great difficulty to ſupport the government.

Farmers, not commiſſioners, levied the cuſtoms. It ſeems, indeed, requiſite, that the former method ſhould always be tried before the latter, though a preferable one. When men's own intereſt is concerned, they fall upon a hundred expedients to prevent frauds in the merchants; and theſe the public may afterwards imitate in eſtabliſhing proper rules for its officers.

The cuſtoms were ſuppoſed to amount to five *per cent.* of the value, and were levied upon exports as well as imports. Nay, the impoſition upon exports, by James's additions, is ſaid to amount in ſome few inſtances to twenty-five *per cent.* This practice, ſo hurtful to induſtry, prevails ſtill in France, Spain, and moſt countries of Europe. The cuſtoms in 1604 yielded 127,000 pounds a-year: They roſe to 190,000 towards the end of the reign.

Intereſt, during this reign, was at ten *per cent.* till 1624, when it was reduced to eight. This high intereſt is an indication of the great profits and ſmall progreſs of commerce.

The extraordinary ſupplies granted by parliament during this whole reign amounted not to more than 630,000 pounds; which, divided among twenty-one years, makes 30,000 pounds a-year. I do not include thoſe ſupplies, amounting to 300,000 pounds, which were given to the king by his laſt parliament. Theſe were paid in to their own commiſſioners; and the expenſes of the Spaniſh war were much more than ſufficient to exhauſt them. The diſtreſſed family of the palatine was a great burden on James, during part of his reign. The king, it is pretended, poſſeſſed not frugality proportioned

portioned to the extreme narrowneſs of his revenue. Splendid equipages, however, he did not affect, nor coſtly furniture, nor a luxurious table, nor prodigal miſtreſſes. His buildings too were not ſumptuous; though the Banqueting-houſe muſt not be forgotten, as a monument which does honour to his reign. Hunting was his chief amuſement, the cheapeſt pleaſure in which a king can indulge himſelf. His expenſes were the effects of liberality, rather than of luxury.

One day, it is ſaid, while he was ſtanding amidſt ſome of his courtiers, a porter paſſed by loaded with money, which he was carrying to the treaſury. The king obſerved, that Rich, afterwards earl of Holland, one of his handſome agreeable favourites, whiſpered ſomething to one ſtanding near him. Upon inquiry, he found that Rich had ſaid, *how happy would that money make me!* Without heſitation James beſtowed it all upon him, though it amounted to 3000 pounds. He added, *You think yourſelf very happy in obtaining ſo large a ſum; but I am more happy in having an opportunity of obliging a worthy man, whom I love.* The generoſity of James was more the reſult of a benign humour or light fancy, than of reaſon or judgment. The objects of it were ſuch as could render themſelves agreeable to him in his looſe hours; not ſuch as were endowed with great merit, or who poſſeſſed talents or popularity which could ſtrengthen his intereſt with the public.

The ſame advantage, we may remark, over the people, which the crown formerly reaped from that interval between the fall of the peers and the riſe of the commons, was now poſſeſſed by the people againſt the crown, during the continuance of a like interval. The ſovereign had already loſt that independent revenue by which he could ſubſiſt without regular ſupplies from parliament; and he had not yet acquired the means of influencing thoſe aſſemblies. The effects of this ſituation, which commenced with the acceſſion of the houſe of Stuart, ſoon roſe to a great height, and were more or leſs propagated throughout all the reigns of that unhappy family.

Subſidies

Subſidies and fifteenths are frequently mentioned by hiſtorians; but neither the amount of theſe taxes nor the method of levying them have been well explained. It appears, that the fifteenths formerly correſponded to the name, and were that proportionable part of the moveables. But a valuation having been made in the reign of Edward III., that valuation was always adhered to, and each town paid unalterably a particular ſum, which the inhabitants themſelves aſſeſſed upon their fellow-citizens. The ſame tax in corporate towns was called a tenth; becauſe, there it was at firſt a tenth of the moveables. The whole amount of a tenth and a fifteenth throughout the kingdom, or a fifteenth as it is often more conciſely called, was about 29,000 pounds. The amount of a ſubſidy was not invariable, like that of a fifteenth. In the eighth of Elizabeth a ſubſidy amounted to 120,000 pounds: In the fortieth it was not above 78,000. It afterwards fell to 70,000; and was continually decreaſing. The reaſon is eaſily collected from the method of levying it. We may learn from the ſubſidy bills, that one ſubſidy was given for four ſhillings in the pound on land, and two ſhillings and eight-pence on moveables throughout the counties; a conſiderable tax, had it been ſtrictly levied. But this was only the ancient ſtate of a ſubſidy. During the reign of James, there was not paid the twentieth part of that ſum. The tax was ſo far perſonal that a man paid only in the county where he lived, though he ſhould poſſeſs eſtates in other counties; and the aſſeſſors formed a looſe eſtimation of his property, and rated him accordingly. To preſerve, however, ſome rule in the eſtimation, it ſeems to have been the practice to keep an eye to former aſſeſſments, and to rate every man according as his anceſtors, or men of ſuch an eſtimated property, were accuſtomed to pay. This was a ſufficient reaſon why ſubſidies could not increaſe, notwithſtanding the great increaſe of money and riſe of rents. But there was an evident reaſon why they continually decreaſed. The favour, as is natural to ſuppoſe, ran always againſt the crown; eſpecially during the latter end of Elizabeth, when ſubſidies became numerous

merous and frequent, and the ſums levied were conſiderable, compared to former ſupplies. The aſſeſſors, though accuſtomed to have an eye to ancient eſtimations, were not bound to obſerve any ſuch rule; but might rate anew any perſon according to his preſent income. When rents fell, or part of an eſtate was ſold off, the proprietor was ſure to repreſent theſe loſſes, and obtain a diminution of his ſubſidy; but where rents roſe, or new lands were purchaſed, he kept his own ſecret, and paid no more than formerly. The advantage, therefore, of every change was taken againſt the crown; and the crown could obtain the advantage of none. And to make the matter worſe, the alterations which happened in property during this age were in general unfavourable to the crown. The ſmall proprietors, or twenty pound men, went continually to decay; and when their eſtates were ſwallowed up by a greater, the new purchaſer increaſed not his ſubſidy. So looſe indeed is the whole method of rating ſubſidies, that the wonder was not how the tax ſhould continually diminiſh; but how it yielded any revenue at all. It became at laſt ſo unequal and uncertain, that the parliament was obliged to change it into a land tax.

The price of corn during this reign, and that of the other neceſſaries of life, was no lower, or was rather higher than at preſent. By a proclamation of James, eſtabliſhing public magazines, whenever wheat fell below thirty-two ſhillings a quarter, rye below eighteen, barley below ſixteen, the commiſſioners were empowered to purchaſe corn for the magazines. Theſe prices then are to be regarded as low; though they would rather paſs for high by our preſent eſtimation. The uſual bread of the poor was at this time made of barley. The beſt wool, during the greater part of James's reign, was at thirty-three ſhillings a tod. At preſent it is not above two-thirds of that value; though it is to be preſumed, that our exports in woollen goods are ſomewhat increaſed. The finer manufactures too, by the progreſs of arts and induſtry, have rather diminiſhed in price, notwithſtanding the great increaſe of money. In Shakeſpeare, the

hoſteſs tells Falſtaff, that the ſhirts ſhe bought him were holland at eight ſhillings a yard; a high price at this day, even ſuppoſing, what is not probable, that the beſt holland at that time was equal in goodneſs to the beſt that can now be purchaſed. In like manner, a yard of velvet, about the middle of Elizabeth's reign, was valued at two-and-twenty ſhillings. It appears from Dr. Birch's Life of Prince Henry, that that prince, by contract with his butcher, paid near a groat a pound throughout the year for all the beef and mutton uſed in his family. Beſides, we muſt conſider, that the general turn of that age, which no laws could prevent, was the converting of arable land into paſture: A certain proof that the latter was found more profitable, and conſequently that all butchers meat, as well as bread, was rather higher than at preſent. We have a regulation of the market with regard to poultry and ſome other articles very early in Charles I.'s reign; and the prices are high. A turkey-cock four ſhillings and ſixpence, a turkey hen three ſhillings, a pheaſant cock ſix, a pheaſant hen five, a partridge one ſhilling, a gooſe two, a capon two and ſixpence, a pullet one and ſixpence, a rabbit eight pence, a dozen of pigeons ſix ſhillings*. We muſt conſider, that London at preſent is more than three times more populous than it was at that time: A circumſtance which much increaſes the price of poultry, and of every thing that cannot conveniently be brought from a diſtance: Not to mention that theſe regulations by authority are always calculated to diminiſh, never to increaſe the market-prices. The contractors for victualling the navy were allowed by government eight pence a day for the diet of each man when in harbour, ſeven pence halfpenny when at ſea; which would ſuffice at preſent. The chief difference in expenſe between that age and the preſent conſiſts in the imaginary wants of

* We may judge of the great grievance of purveyance by this circumſtance, that the purveyors often gave but ſixpence for a dozen of pigeons, and two pence for a fowl. Journ. 25 May 1626.

men,

men, which have ſince extremely multiplied. Theſe * are the principal reaſons why James's revenue would go farther than the ſame money in our time; though the difference is not near ſo great as is uſually imagined.

The public was entirely free from the danger and expenſe of a ſtanding army. While James was vaunting his divine vicegerency, and boaſting of his high prerogative, he poſſeſſed not ſo much as a ſingle regiment of guards to maintain his extenſive claims: A ſufficient proof that he ſincerely believed his pretenſions to be well grounded, and a ſtrong preſumption that they were at leaſt built on what were then deemed plauſible arguments. The militia of England, amounting to 160,000 men, was the ſole defence of the kingdom. It is pretended that they were kept in good order during this reign. The city of London procured officers who had ſerved abroad, and who taught the trained bands their exerciſes in Artillery-garden; a practice which had been diſcontinued ſince 1588. All the counties of England, in emulation of the capital, were fond of ſhowing a well-ordered and well-appointed militia. It appeared that the natural propenſity of men towards military ſhows and exerciſes will go far, with a little attention in the ſovereign, towards exciting and ſupporting this ſpirit in any nation. The very boys at this time, in mimickry of their elders, inliſted themſelves voluntarily into companies, elected officers, and practiſed the diſcipline, of which the models were every day expoſed to their view. Sir Edward Harwood, in a memorial compoſed at the beginning of the ſubſequent reign, ſays, that England was ſo unprovided with horſes fit for war, that 2000 men could not poſſibly be mounted throughout the whole kingdom. At preſent the breed of horſes is ſo much improved, that almoſt all thoſe which are employed either

* This volume was written above twenty-eight years before the edition of 1786. In that ſhort period, prices have perhaps riſen more than during the preceding hundred and fifty.

in the plough, waggon, or coach, would be fit for that purpoſe.

The diſorders of Ireland obliged James to keep up ſome forces there, and put him to great expenſe. The common pay of a private man in the infantry was eight pence a-day, a lieutenant two ſhillings, an enſign eighteen pence. The armies in Europe were not near ſo numerous during that age; and the private men, we may obſerve, were drawn from a better rank than at preſent, and approaching nearer to that of the officers.

In the year 1583 there was a general review made of all the men in England capable of bearing arms; and theſe were found to amount to 1,172,000 men, according to Raleigh *. It is impoſſible to warrant the exactneſs of this computation; or, rather, we may fairly preſume it to be ſomewhat inaccurate. But if it approached near the truth, England has probably, ſince that time, increaſed in populouſneſs. The growth of London, in riches and beauty, as well as in numbers of inhabitants, has been prodigious. From 1600 it doubled every forty years; and conſequently, in 1680, it contained four times as many inhabitants as at the beginning of the century. It has ever been the centre of all the trade in the kingdom; and almoſt the only town that affords ſociety and amuſement. The affection which the Engliſh bear to a country life makes the provincial towns be little frequented by the gentry. Nothing but the allurements of the capital, which is favoured by the reſidence of the king, and by being the ſeat of government, and of all the courts of juſtice, can prevail over their paſſion for their rural villas.

London at this time was almoſt entirely built of wood, and in every reſpect was certainly a very ugly city. The earl of Arundel firſt introduced the general practice of brick buildings.

* This number is much ſuperior to that contained in Murden, and that delivered by ſir Edward Coke to the houſe of commons; and is more likely.

The

The navy of England was eſteemed formidable in Elizabeth's time, yet it conſiſted only of thirty-three ſhips, beſides pinnaces: And the largeſt of theſe would not equal our fourth-rates at preſent. Raleigh adviſes never to build a ſhip of war above 600 tons *. James was not negligent of the navy. In five years preceding 1623, he built ten new ſhips, and expended fifty thouſand pounds a-year on the fleet, beſide the value of thirty-ſix thouſand pounds in timber, which he annually gave from the royal foreſts †. The largeſt ſhip that had ever come from the Engliſh docks was built during this reign. She was only 1400 tons, and carried ſixty-four guns. The merchant-ſhips, in caſes of neceſſity, were inſtantly converted into ſhips of war. The king affirmed to the parliament, that the navy had never before been in ſo good a condition.

Every ſeſſion of parliament during this reign, we meet with grievous lamentations concerning the decay of trade, and the growth of popery: Such violent propenſity have men to complain of the preſent times, and to entertain diſcontent againſt their fortune and condition. The king himſelf was deceived by theſe popular complaints, and was at a loſs to account for the total want of money, which he heard ſo much exaggerated. It may, however, be affirmed, that during no preceding period of Engliſh hiſtory, was there a more ſenſible increaſe than during the reign of this monarch, of all the advantages which diſtinguiſh a flouriſhing people. Not only the peace which he maintained was favourable to induſtry and commerce: His turn of mind inclined him to promote the peaceful arts: And trade being as yet in its infancy, all additions to it muſt have been the more evi-

* By Raleigh's account, in his Diſcourſe of the firſt Invention of Shipping, the fleet, in the twenty-fourth of the queen, conſiſted only of thirteen ſhips, and was augmented afterwards eleven. He probably reckoned ſome to be pinnaces, which Coke called ſhips.

† Journ. 11 March 1623. Sir William Monſon makes the number amount only to nine new ſhips, p. 253.

dent to every eye, which was not blinded by melancholy prejudices *.

By an account which ſeems judicious and accurate, it appears that all the ſeamen employed in the merchant ſervice amounted to 10,000 men, which probably exceeds not the fifth part of their preſent number. Sir Thomas Overbury ſays, that the Dutch poſſeſſed three times more ſhipping than the Engliſh, but that their ſhips were of inferior burden to thoſe of the latter. Sir William Monſon computed the Engliſh naval power to be little or nothing inferior to the Dutch, which is ſurely an exaggeration. The Dutch at this time traded to England with 600 ſhips; England to Holland with ſixty only.

A catalogue of the manufactures, for which the Engliſh were then eminent, would appear very contemptible, in compariſon of thoſe which flouriſh among them at preſent. Almoſt all the more elaborate and curious arts were only cultivated abroad, particularly in Italy, Holland, and the Netherlands. Ship-building, and the founding of iron cannon, were the ſole in which the Engliſh excelled. They ſeem, indeed, to have poſſeſſed alone the ſecret of the latter; and great complaints were made every parliament againſt the exportation of Engliſh ordnance.

Nine tenths of the commerce of the kingdom conſiſted in woollen goods. Wool, however, was allowed to be exported, till the 19th of the king. Its exportation was then forbidden by proclamation, though that edict was never ſtrictly executed. Moſt of the cloth was exported raw, and was dyed and dreſſed by the Dutch; who gained, it is pretended, 700,000 pounds a-year by this manufacture †. A proclamation iſſued by the king

* See note [AA] at the end of the volume.

† Journ. 20 May 1614. Raleigh, in his Obſervations, computes the loſs at 400,000 pounds to the nation. There are about 80,000 undreſſed cloths, ſays he, exported yearly. He computes, beſides, that about 100,000 pounds a-year had been loſt by kerſies; not to mention other articles. The account of 200,000 cloths a-year exported in Elizabeth's reign ſeems to be exaggerated.

againſt

againſt exporting cloth in that condition, had ſucceeded ſo ill during one year, by the refuſal of the Dutch to buy the dreſſed cloth, that great murmurs aroſe againſt it; and this meaſure was retracted by the king and complained of by the nation, as if it had been the moſt impolitic in the world. It ſeems indeed to have been premature.

In ſo little credit was the fine Engliſh cloth even at home, that the king was obliged to ſeek expedients by which he might engage the people of faſhion to wear it. The manufacture of fine linen was totally unknown in the kingdom.

The company of merchant-adventurers, by their patent, poſſeſſed the ſole commerce of woollen goods, though the ſtaple commodity of the kingdom. An attempt made during the reign of Elizabeth to lay open this important trade had been attended with bad conſequences for a time, by a conſpiracy of the merchant-adventurers, not to make any purchaſes of cloth; and the queen immediately reſtored them their patent.

It was the groundleſs fear of a like accident that enſlaved the nation to thoſe excluſive companies, which confined ſo much every branch of commerce and induſtry. The parliament, however, annulled, in the third of the king, the patent of the Spaniſh company; and the trade to Spain, which was at firſt very inſignificant, ſoon became the moſt conſiderable in the kingdom. It is ſtrange that they were not thence encouraged to aboliſh all the other companies, and that they went no farther than obliging them to enlarge their bottom, and to facilitate the admiſſion of new adventurers.

A board of trade was erected by the king in 1622. One of the reaſons aſſigned in the commiſſion, is to remedy the low price of wool, which begat complaints of the decay of the woollen manufactory. It is more probable, however, that this fall of prices proceeded from the increaſe of wool. The king likewiſe recommends it to the commiſſioners to inquire and examine whether a greater freedom of trade, and an exemption from the reſtraint of excluſive companies, would not be beneficial.

Men were then fettered by their own prejudices; and the king was juſtly afraid of embracing a bold meaſure, whoſe conſequences might be uncertain. The digeſting of a navigation act, of a like nature with the famous one executed afterwards by the republican parliament, is likewiſe recommended to the commiſſioners. The arbitrary powers then commonly aſſumed by the privy-council, appear evidently through the whole tenour of the commiſſion.

The ſilk manufacture had no footing in England: But, by James's direction, mulberry-trees were planted, and ſilk-worms introduced. The climate ſeems unfavourable to the ſucceſs of this project. The planting of hops increaſed much in England during this reign.

Greenland is thought to have been diſcovered about this period; and the whale fiſhery was carried on with ſucceſs: But the induſtry of the Dutch, in ſpite of all oppoſition, ſoon deprived the Engliſh of this ſource of riches. A company was erected for the diſcovery of the north-weſt paſſage; and many fruitleſs attempts were made for that purpoſe. In ſuch noble projects, deſpair ought never to be admitted, till the abſolute impoſſibility of ſucceſs be fully aſcertained.

The paſſage to the Eaſt-Indies had been opened to the Engliſh during the reign of Elizabeth; but the trade to thoſe parts was not entirely eſtabliſhed till this reign, when the Eaſt-India company received a new patent, enlarged their ſtock to 1,500,000 pounds, and fitted out ſeveral ſhips on theſe adventures. In 1609 they built a veſſel of 1200 ton, the largeſt merchant-ſhip that England had ever known. She was unfortunate, and periſhed by ſhipwreck. In 1611, a large ſhip of the company, aſſiſted by a pinnace, maintained five ſeveral engagements with a ſquadron of Portugueſe, and gained a complete victory over forces much ſuperior. During the following years the Dutch company was guilty of great injuries towards the Engliſh, in expelling many of their factors, and deſtroying their ſettlements: But theſe violences were reſented with a proper ſpirit by the court of England. A naval force was equipped under the earl of Oxford,

Oxford *, and lay in wait for the return of the Dutch Eaſt-India fleet. By reaſon of croſs winds, Oxford failed of his purpoſe, and the Dutch eſcaped. Some time after, one rich ſhip was taken by vice-admiral Merwin; and it was ſtipulated by the Dutch to pay 70,000 pounds to the Engliſh company, in conſideration of the loſſes which that company had ſuſtained. But neither this ſtipulation, nor the fear of repriſals, nor the ſenſe of that friendſhip which ſubſiſted between England and the States, could reſtrain the avidity of the Dutch company, or render them equitable in their proceedings towards their allies. Impatient to have the ſole poſſeſſion of the ſpice trade, which the Engliſh then ſhared with them, they aſſumed a juriſdiction over a factory of the latter in the iſland of Amboyna; and on very improbable, and even abſurd pretences, ſeized all the factors, with their families, and put them to death with the moſt inhuman tortures. This diſmal news arrived in England at the time when James, by the prejudices of his ſubjects, and the intrigues of his favourite, was conſtrained to make a breach with Spain; and he was obliged, after ſome remonſtrances, to acquieſce in this indignity from a ſtate, whoſe alliance was now become neceſſary to him. It is remarkable that the nation, almoſt without a murmur, ſubmitted to this injury from their proteſtant confederates; an injury which, beſides the horrid enormity of the action, was of much deeper importance to national intereſt, than all thoſe which they were ſo impatient to reſent from the houſe of Auſtria.

The exports of England from Chriſtmas 1612 to Chriſtmas 1613 are computed at 2,487,435 pounds: The imports at 2,141,151: So that the balance in favour of England was 346,284. But in 1622 the exports were 2,320,436 pounds; the imports 2,619,315; which makes a balance of 298,879 pounds againſt England. The coinage of England from 1599 to 1619 amounted to 4,779,314 pounds 13 ſhillings and 4 pence: A proof that the balance in the main was conſiderably in favour

* In 1622.

of

of the kingdom. As the annual imports and exports together roſe to near five millions, and the cuſtoms never yielded ſo much as 200,000 pounds a-year, of which tonnage made a part, it appears that the new rates affixed by James did not, on the whole, amount to one ſhilling in the pound, and conſequently were ſtill inferior to the intention of the original grant of parliament. The Eaſt-India company uſually carried out a third of their cargo in commodities. The trade to Turkey was one of the moſt gainful to the nation. It appears that copper halfpence and farthings began to be coined in this reign. Tradeſmen had commonly carried on their retail buſineſs chiefly by means of leaden tokens. The ſmall ſilver penny was ſoon loſt, and at this time was nowhere to be found.

What chiefly renders the reign of James memorable, is the commencement of the Engliſh colonies in America; colonies eſtabliſhed on the nobleſt footing that has been known in any age or nation. The Spaniards, being the firſt diſcoverers of the new world, immediately took poſſeſſion of the precious mines which they found there; and, by the allurement of great riches, they were tempted to depopulate their own country, as well as that which they conquered; and added the vice of ſloth to thoſe of avidity and barbarity, which had attended their adventures in thoſe renowned enterpriſes. That fine coaſt was entirely neglected, which reaches from St. Auguſtine to Cape Breton, and which lies in all the temperate climates, is watered by noble rivers, and offers a fertile ſoil, but nothing more, to the induſtrious planter. Peopled gradually from England by the neceſſitous and indigent, who at home increaſed neither wealth nor populouſneſs, the colonies which were planted along that tract, have promoted the navigation, encouraged the induſtry, and even perhaps multiplied the inhabitants of their mother-country. The ſpirit of independency, which was revived in England, here ſhone forth in its full luſtre, and received new acceſſion from the aſpiring character of thoſe who, being diſcontented with the eſtabliſhed church and

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monarchy, had ſought for freedom amidſt thoſe ſavage deſerts.

Queen Elizabeth had done little more than given a name to the continent of Virginia; and after her planting one feeble colony, which quickly decayed, that country was entirely abandoned. But when peace put an end to the military enterpriſes againſt Spain, and left ambitious ſpirits no hopes of making any longer ſuch rapid advances towards honour and fortune, the nation began to ſecond the pacific intentions of its monarch, and to ſeek a ſurer, though ſlower expedient, for acquiring riches and glory. In 1606, Newport carried over a colony, and began a ſettlement; which the company erected by patent for that purpoſe in London and Briſtol, took care to ſupply with yearly recruits of proviſions, utenſils, and new inhabitants. About 1609, Argal diſcovered a more direct and ſhorter paſſage to Virginia, and left the tract of the ancient navigators, who had firſt directed their courſe ſouthwards to the tropic, ſailed weſtward by means of the trade-winds, and then turned northward, till they reached the Engliſh ſettlements. The ſame year five hundred perſons under ſir Thomas Gates and ſir George Somers were embarked for Virginia. Somers's ſhip, meeting with a tempeſt, was driven into the Bermudas, and laid the foundation of a ſettlement in thoſe iſlands. Lord Delawar afterwards undertook the government of the Engliſh colonies: But notwithſtanding all his care, ſeconded by ſupplies from James, and by money raiſed from the firſt lottery ever known in the kingdom, ſuch difficulties attended the ſettlement of theſe countries, that in 1614 there were not alive more than 400 men, of all that had been ſent thither. After ſupplying themſelves with proviſions more immediately neceſſary for the ſupport of life, the new planters began the cultivating of tobacco; and James, notwithſtanding his antipathy to that drug, which he affirmed to be pernicious to men's morals as well as their health, gave them permiſſion to enter it in England; and he inhibited by proclamation all importation of it from Spain. By degrees, new colonies were eſtabliſhed in that

that continent, and gave new names to the places where they ſettled, leaving that of Virginia to the province firſt planted. The iſland of Barbadoes was alſo planted in this reign.

Speculative reaſoners, during that age, raiſed many objections to the planting of thoſe remote colonies; and foretold that, after draining their mother-country of inhabitants, they would ſoon ſhake off her yoke, and erect an independent government in America: But time has ſhown that the views entertained by thoſe who encouraged ſuch generous undertakings, were more juſt and ſolid. A mild government and great naval force have preſerved, and may ſtill preſerve during ſome time, the dominion of England over her colonies. And ſuch advantages have commerce and navigation reaped from theſe eſtabliſhments, that more than a fourth of the Engliſh ſhipping is at preſent computed to be employed in carrying on the traffic with the American ſettlements.

Agriculture was anciently very imperfect in England. The ſudden tranſitions ſo often mentioned by hiſtorians, from the loweſt to the higheſt price of grain, and the prodigious inequality of its value in different years, are ſufficient proofs that the produce depended entirely on the ſeaſons, and that art had as yet done nothing to fence againſt the injuries of the heavens. During this reign conſiderable improvements were made, as in moſt arts, ſo in this, the moſt beneficial of any. A numerous catalogue might be formed of books and pamphlets treating of huſbandry, which were written about this time. The nation, however, was ſtill dependant on foreigners for daily bread; and though its exportation of grain now forms a conſiderable branch of its commerce, notwithſtanding its probable increaſe of people, there was in that period a regular importation from the Baltic, as well as from France; and if it ever ſtopped, the bad conſequences were ſenſibly felt by the nation. Sir Walter Raleigh, in his Obſervations, computes, that two millions went out at one time for corn. It was not till the fifth of Elizabeth, that the exportation of corn had

had been allowed in England; and Camden obſerves, that agriculture from that moment received new life and vigour.

The endeavours of James, or, more properly ſpeaking, thoſe of the nation, for promoting trade, were attended with greater ſucceſs than thoſe for the encouragement of learning. Though the age was by no means deſtitute of eminent writers, a very bad taſte in general prevailed during that period; and the monarch himſelf was not a little infected with it.

On the origin of letters among the Greeks, the genius of poets and orators, as might naturally be expected, was diſtinguiſhed by an amiable ſimplicity, which, whatever rudeneſs may ſometimes attend it, is ſo fitted to expreſs the genuine movements of nature and paſſion, that the compoſitions poſſeſſed of it muſt ever appear valuable to the diſcerning part of mankind. The glaring figures of diſcourſe, the pointed antitheſis, the unnatural conceit, the jingle of words; ſuch falſe ornaments were not employed by early writers; not becauſe they were rejected, but becauſe they ſcarcely ever occurred to them. An eaſy, unforced ſtrain of ſentiment runs through their compoſitions; though at the ſame time we may obſerve, that amidſt the moſt elegant ſimplicity of thought and expreſſion, one is ſometimes ſurpriſed to meet with a poor conceit, which had preſented itſelf unſought for, and which the author had not acquired critical obſervation enough to condemn *. A bad taſte

* The name of Polynices, one of Oedipus's ſons, means in the original *much quarrelling*. In the altercations between the two brothers, in Æſchylus, Sophocles, and Euripides, this conceit is employed; and it is remarkable, that ſo poor a conundrum could not be rejected by any of theſe three poets, ſo juſtly celebrated for their taſte and ſimplicity. What could Shakeſpeare have done worſe? Terence has his *inceptio eſt amentium, non amantium*. Many ſimilar inſtances will occur to the learned. It is well known, that Ariſtotle treats very ſeriouſly of puns, divides them into ſeveral claſſes, and recommends the uſe of them to orators.

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ſeizes with avidity theſe frivolous beauties, and even perhaps a good taſte, ere ſurfeited by them: They multiply every day more and more in the faſhionable compoſitions: Nature and good ſenſe are neglected: Laboured ornaments ſtudied and admired: And a total degeneracy of ſtyle and language prepares the way for barbariſm and ignorance. Hence the Aſiatic manner was found to depart ſo much from the ſimple purity of Athens: Hence that tinſel eloquence which is obſervable in many of the Roman writers, from which Cicero himſelf is not wholly exempted, and which ſo much prevails in Ovid, Seneca, Lucan, Martial, and the Plinys.

On the revival of letters, when the judgment of the public is yet raw and unformed, this falſe gliſter catches the eye, and leaves no room, either in eloquence or poetry, for the durable beauties of ſolid ſenſe and lively paſſion. The reigning genius is then diametrically oppoſite to that which prevails on the firſt origin of arts. The Italian writers, it is evident, even the moſt celebrated, have not reached the proper ſimplicity of thought and compoſition; and in Petrarch, Taſſo, Guarini, frivolous witticiſms and forced conceits are but too predominant. The period during which letters were cultivated in Italy, was ſo ſhort as ſcarcely to allow leiſure for correcting this adulterated reliſh.

The more early French writers are liable to the ſame reproach. Voiture, Balzac, even Corneille, have too much affected thoſe ambitious ornaments, of which the Italians in general, and the leaſt pure of the ancients, ſupplied them with ſo many models. And it was not till late, that obſervation and reflection gave riſe to a more natural turn of thought and compoſition among that elegant people.

A like character may be extended to the firſt Engliſh writers; ſuch as flouriſhed during the reigns of Elizabeth and James, and even till long afterwards. Learning, on its revival in this iſland, was attired in the ſame unnatural garb which it wore at the time of its decay among the Greeks and Romans. And, what

may

may be regarded as a misfortune, the Engliſh writers were poſſeſſed of great genius before they were endowed with any degree of taſte, and by that means gave a kind of ſanction to thoſe forced turns and ſentiments which they ſo much affected. Their diſtorted conceptions and expreſſions are attended with ſuch vigour of mind, that we admire the imagination which produced them, as much as we blame the want of judgment which gave them admittance. To enter into an exact criticiſm of the writers of that age would exceed our preſent purpoſe. A ſhort character of the moſt eminent, delivered with the ſame freedom which hiſtory exerciſes over kings and miniſters, may not be improper. The national prepoſſeſſions, which prevail, will perhaps render the former liberty not the leaſt perilous for an author.

If Shakeſpeare be conſidered as a Man, born in a rude age, and educated in the loweſt manner, without any inſtruction, either from the world or from books, he may be regarded as a prodigy: If repreſented as a Poet, capable of furniſhing a proper entertainment to a refined or intelligent audience, we muſt abate much of this eulogy. In his compoſitions, we regret, that many irregularities, and even abſurdities, ſhould ſo frequently diſfigure the animated and paſſionate ſcenes intermixed with them; and at the ſame time, we perhaps admire the more thoſe beauties, on account of their being ſurrounded with ſuch deformities. A ſtriking peculiarity of ſentiment, adapted to a ſingle character, he frequently hits, as it were by inſpiration; but a reaſonable propriety of thought he cannot for any time uphold. Nervous and pictureſque expreſſions as well as deſcriptions abound in him; but it is in vain we look either for purity or ſimplicity of diction. His total ignorance of all theatrical art and conduct, however material a defect; yet, as it affects the ſpectator, rather than the reader, we can more eaſily excuſe, than that want of taſte which often prevails in his productions, and which gives way only by intervals to the irradiations of genius. A great and fertile genius he certainly poſſeſſed, and one enriched equally with a tragic and comic vein; but he ought to

be cited as a proof, how dangerous it is to rely on theſe advantages alone for attaining an excellence in the finer arts *. And there may even remain a ſuſpicion, that we over-rate, if poſſible, the greatneſs of his genius; in the ſame manner as bodies often appear more gigantic, on account of their being diſproportioned and miſhapen. He died in 1616, aged 53 years.

Johnſon poſſeſſed all the learning which was wanting to Shakeſpeare, and wanted all the genius of which the other was poſſeſſed. Both of them were equally deficient in taſte and elegance, in harmony and correctneſs. A ſervile copyiſt of the ancients, Johnſon tranſlated into bad Engliſh the beautiful paſſages of the Greek and Roman authors, without accommodating them to the manners of his age and country. His merit has been totally eclipſed by that of Shakeſpeare, whoſe rude genius prevailed over the rude art of his cotemporary. The Engliſh theatre has ever ſince taken a ſtrong tincture of Shakeſpeare's ſpirit and character; and thence it has proceeded, that the nation has undergone from all its neighbours, the reproach of barbariſm, from which its valuable productions in ſome other parts of learning would otherwiſe have exempted it. Johnſon had a penſion of a hundred marks from the king, which Charles afterwards augmented to a hundred pounds. He died in 1637, aged 63.

Fairfax has tranſlated Taſſo with an elegance and eaſe, and at the ſame time with an exactneſs, which for that age are ſurpriſing. Each line in the original is faithfully rendered by a correſpondent line in the tranſlation. Harrington's tranſlation of Arioſto is not likewiſe without its merit. It is to be regretted that theſe poets ſhould have imitated the Italians in their ſtanza, which has a prolixity and uniformity in it that diſpleaſes in long performances. They had otherwiſe, as well as Spenſer, who went before them, contributed much to the poliſhing and refining of Engliſh verſification.

* *Invenire etiam barbari ſolent, diſponere et ornare non niſi eruditus.* PLIN.

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In Donne's ſatires, when carefully inſpected, there appear ſome flaſhes of wit and ingenuity; but theſe totally ſuffocated and buried by the hardeſt and moſt uncouth expreſſion that is any-where to be met with.

If the poetry of the Engliſh was ſo rude and imperfect during that age, we may reaſonably expect that their proſe would be liable to ſtill greater objections. Though the latter appears the more eaſy, as it is the more natural method of compoſition; it has ever in practice been found the more rare and difficult; and there ſcarcely is an inſtance in any language, that it has reached a degree of perfection, before the refinement of poetical numbers and expreſſion. Engliſh proſe, during the reign of James, was written with little regard to the rules of grammar, and with a total diſregard to the elegance and harmony of the period. Stuffed with Latin ſentences and quotations, it likewiſe imitated thoſe inverſions, which, however forcible and graceful in the ancient languages, are entirely contrary to the idiom of the Engliſh. I ſhall indeed venture to affirm, that whatever uncouth phraſes and expreſſions occur in old books, they were chiefly owing to the unformed taſte of the author; and that the language ſpoken in the courts of Elizabeth and James was very little different from that which we meet with at preſent in good company. Of this opinion the little ſcraps of ſpeeches which are found in the parliamentary journals, and which carry an air ſo oppoſite to the laboured orations, ſeem to be a ſufficient proof; and there want not productions of that age which, being written by men who were not authors by profeſſion, retain a very natural manner, and may give us ſome idea of the language which prevailed among men of the world. I ſhall particularly mention ſir John Davis's Diſcovery, Throgmorton's, Eſſex's, and Nevil's letters. In a more early period, Cavendiſh's Life of Cardinal Wolſey, the pieces that remain of biſhop Gardiner, and Anne Boleyn's letter to the king, differ little or nothing from the language of our time.

The great glory of literature in this iſland during the reign of James, was lord Bacon. Moſt of his perform-

ances were compoſed in Latin; though he poſſeſſed neither the elegance of that, nor of his native tongue. If we conſider the variety of talents diſplayed by this man; as a public ſpeaker, a man of buſineſs, a wit, a courtier, a companion, an author, a philoſopher; he is juſtly the object of great admiration. If we conſider him merely as an author and philoſopher, the light in which we view him at preſent, though very eſtimable, he was yet inferior to his cotemporary Galilæo, perhaps even to Kepler. Bacon pointed out at a diſtance the road to true philoſophy: Galilæo both pointed it out to others, and made himſelf conſiderable advances in it. The Engliſhman was ignorant of geometry: The Florentine revived that ſcience, excelled in it, and was the firſt that applied it, together with experiment, to natural philoſophy. The former rejected, with the moſt poſitive diſdain, the ſyſtem of Copernicus: The latter fortified it with new proofs, derived both from reaſon and the ſenſes. Bacon's ſtyle is ſtiff and rigid: His wit, though often brilliant, is alſo often unnatural and far-fetched; and he ſeems to be the original of thoſe pointed ſimilies and long-ſpun allegories which ſo much diſtinguiſh the Engliſh authors: Galilæo is a lively and agreeable, though ſomewhat a prolix writer. But Italy, not united in any ſingle government, and perhaps ſatiated with that literary glory which it has poſſeſſed both in ancient and modern times, has too much neglected the renown which it has acquired by giving birth to ſo great a man. That national ſpirit which prevails among the Engliſh, and which forms their great happineſs, is the cauſe why they beſtow on all their eminent writers, and on Bacon among the reſt, ſuch praiſes and acclamations as may often appear partial and exceſſive. He died in 1626, in the 66th year of his age.

If the reader of Raleigh's Hiſtory can have the patience to wade through the Jewiſh and Rabbinical learning which compoſe the half of the volume, he will find, when he comes to the Greek and Roman ſtory, that his pains are not unrewarded. Raleigh is the beſt model of that ancient ſtyle which ſome writers would affect to revive

revive at preſent. He was beheaded in 1618, aged 66 years.

Camden's Hiſtory of Queen Elizabeth may be eſteemed a good compoſition, both for ſtyle and matter. It is written with ſimplicity of expreſſion, very rare in that age, and with a regard to truth. It would not perhaps be too much to affirm, that it is among the beſt hiſtorical productions which have yet been compoſed by any Engliſhman. It is well known that the Engliſh have not much excelled in that kind of literature. He died in 1623, aged 73 years.

We ſhall mention the king himſelf at the end of theſe Engliſh writers; becauſe that is *his* place, when conſidered as an author. It may ſafely be affirmed, that the mediocrity of James's talents in literature, joined to the great change in national taſte, is one cauſe of that contempt under which his memory labours, and which is often carried by party-writers to a great extreme. It is remarkable how different from ours were the ſentiments of the ancients with regard to learning. Of the firſt twenty Roman emperors, counting from Cæſar to Severus, above the half were authors; and though few of them ſeem to have been eminent in that profeſſion, it is always remarked to their praiſe, that by their example they encouraged literature. Not to mention Germanicus, and his daughter Agrippina, perſons ſo nearly allied to the throne, the greater part of the claſſic writers, whoſe works remain, were men of the higheſt quality. As every human advantage is attended with inconveniencies, the change of men's ideas in this particular may probably be aſcribed to the invention of printing; which has rendered books ſo common, that even men of ſlender fortunes can have acceſs to them.

That James was but a middling writer may be allowed: That he was a contemptible one, can by no means be admitted. Whoever will read his Baſilicon Doron, particularly the two laſt books, the True Law of free Monarchies, his Anſwer to Cardinal Perron, and almoſt all his ſpeeches and meſſages to parliament, will confeſs him to have poſſeſſed no mean genius. If he

wrote concerning witches and apparitions; who in that age did not admit the reality of theſe fictitious beings? If he has compoſed a commentary on the Revelations, and proved the pope to be antichriſt; may not a ſimilar reproach be extended to the famous Napier; and even to Newton, at a time when learning was much more advanced than during the reign of James? From the groſſneſs of its ſuperſtitions, we may infer the ignorance of an age; but never ſhould pronounce concerning the folly of an individual, from his admitting popular errors, conſecrated by the appearance of religion.

Such a ſuperiority do the purſuits of literature poſſeſs above every other occupation, that even he who attains but a mediocrity in them, merits the pre-eminence above thoſe that excel the moſt in the common and vulgar profeſſions. The ſpeaker of the houſe of commons is uſually an eminent lawyer; yet the harangue of his majeſty will always be found much ſuperior to that of the ſpeaker, in every parliament during this reign.

Every ſcience, as well as polite literature, muſt be conſidered as being yet in its infancy. Scholaſtic learning and polemical divinity retarded the growth of all true knowledge. Sir Henry Saville, in the preamble of that deed by which he annexed a ſalary to the mathematical and aſtronomical profeſſors in Oxford, ſays, that geometry was almoſt totally abandoned and unknown in England. The beſt learning of that age was the ſtudy of the ancients. Caſaubon, eminent for this ſpecies of knowledge, was invited over from France by James, and encouraged by a penſion of 300l. a-year, as well as by church preferments. The famous Antonio di Dominis, archbiſhop of Spalatro, no deſpicable philoſopher, came likewiſe into England, and afforded great triumph to the nation, by their gaining ſo conſiderable a proſelyte from the papiſts. But the mortification followed ſoon after: The archbiſhop, though advanced to ſome eccleſiaſtical preferments, received not encouragement ſufficient to ſatisfy his ambition: He made his eſcape into Italy, where he died in confinement.

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Engraved by White, from an Original Painting.

CHARLES I.

Engraved for J. Parsons, 21, Paternoster Row. July 1793.

CHAP. L.

CHARLES I.

A parliament at Weſtminſter—At Oxford—Naval expedition againſt Spain—Second parliament—Impeachment of Buckingham—Violent meaſures of the court—War with France—Expedition to the iſle of Rhé.

NO ſooner had Charles taken into his hands the reins of government (27th March 1625), than he ſhowed an impatience to aſſemble the great council of the nation; and he would gladly, for the ſake of deſpatch, have called together the ſame parliament which had ſitten under his father, and which lay at that time under prorogation. But being told that this meaſure would appear unuſual, he iſſued writs for ſummoning a new parliament on the 7th of May; and it was not without regret that the arrival of the princeſs Henrietta, whom he had eſpouſed by proxy, obliged him to delay, by repeated prorogations, their meeting till the 18th of June, when they aſſembled at Weſtminſter for the deſpatch of buſineſs. The young prince, unexperienced and impolitic, regarded as ſincere all the praiſes and careſſes with which he had been loaded, while active in procuring the rupture with the houſe of Auſtria. And beſides that he laboured under great neceſſities, he haſtened with alacrity to a period when he might receive the moſt undoubted teſtimony of the dutiful attachment of his ſubjects. His diſcourſe to the parliament was full of ſimplicity and cordiality. He lightly mentioned the occaſion which he had for ſupply. He employed no intrigue to influence the ſuffrages of the members. He would not even allow the officers of the crown who had ſeats in the houſe to mention any particular ſum which might be expected by him. Secure of the affections of the commons, he was reſolved that their bounty ſhould be entirely their own deed; unaſked, unſolicited; the genuine fruit of ſincere confidence and regard.

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The houſe of commons accordingly took into conſideration the buſineſs of ſupply. They knew that all the money granted by the laſt parliament had been expended on naval and military armaments; and that great anticipations were likewiſe made on the revenues of the crown. They were not ignorant that Charles was loaded with a large debt, contracted by his father, who had borrowed money both from his own ſubjects and from foreign princes. They had learned by experience, that the public revenue could with difficulty maintain the dignity of the crown, even under the ordinary charges of government. They were ſenſible that the preſent war was very lately the reſult of their own importunate applications and entreaties, and that they had ſolemnly engaged to ſupport their ſovereign in the management of it. They were acquainted with the difficulty of military enterpriſes, directed againſt the whole houſe of Auſtria; againſt the king of Spain, poſſeſſed of the greateſt riches and moſt extenſive dominions of any prince in Europe; againſt the emperor Ferdinand, hitherto the moſt fortunate monarch of his age, who had ſubdued and aſtoniſhed Germany by the rapidity of his victories. Deep impreſſions, they ſaw, muſt be made by the Engliſh ſword, and a vigorous offenſive war be waged againſt theſe mighty potentates, ere they would reſign a principality, which they had now fully ſubdued, and which they held in ſecure poſſeſſion, by its being ſurrounded with all their other territories.

To anſwer, therefore, all theſe great and important ends; to ſatisfy their young king in the firſt requeſt which he made them; to prove their ſenſe of the many royal virtues, particularly economy, with which Charles was endowed; the houſe of commons, conducted by the wiſeſt and ableſt ſenators that had ever flouriſhed in England, thought proper to confer on the king a ſupply of two ſubſidies, amounting to 112,000 pounds *.

* A ſubſidy was now fallen to about 56,000 pounds.

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This meaſure, which diſcovers rather a cruel mockery of Charles, than any ſerious deſign of ſupporting him, appears ſo extraordinary, when conſidered in all its circumſtances, that it naturally ſummons up our attention, and raiſes an inquiry concerning the cauſes of a conduct, unprecedented in an Engliſh parliament. So numerous an aſſembly, compoſed of perſons of various diſpoſitions, was not, it is probable, wholly influenced by the ſame motives; and few declared openly their true reaſon. We ſhall, therefore, approach nearer to the truth, if we mention all the views which the preſent conjuncture could ſuggeſt to them.

It is not to be doubted, but ſpleen and ill-will againſt the duke of Buckingham had an influence with many. So vaſt and rapid a fortune ſo little merited could not fail to excite public envy; and, however men's hatred might have been ſuſpended for a moment, while the duke's conduct ſeemed to gratify their paſſions and their prejudices, it was impoſſible for him long to preſerve the affections of the people. His influence over the modeſty of Charles exceeded even that which he had acquired over the weakneſs of James; nor was any public meaſure conducted but by his counſel and direction. His vehement temper prompted him to raiſe ſuddenly to the higheſt elevation his flatterers and dependants: And upon the leaſt occaſion of diſpleaſure, he threw them down with equal impetuoſity and violence. Implacable in his hatred; fickle in his friendſhips: All men were either regarded as his enemies, or dreaded ſoon to become ſuch. The whole power of the kingdom was graſped by his inſatiable hand; while he both engroſſed the entire confidence of his maſter, and held, inveſted in his ſingle perſon, the moſt conſiderable offices of the crown.

However the ill-humour of the commons might have been increaſed by theſe conſiderations, we are not to ſuppoſe them the ſole motives. The laſt parliament of James, amidſt all their joy and feſtivity, had given him a ſupply very diſproportioned to his demand and to the occaſion. And as every houſe of commons, which was elected during forty years, ſucceeded to all the paſſions and princi-

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ples of their predeceſſors; we ought rather to account for this obſtinacy from the general ſituation of the kingdom during that whole period, than from any circumſtances which attended this particular conjuncture.

The nation was very little accuſtomed at that time to the burden of taxes, and had never opened their purſes in any degree for ſupporting their ſovereign. Even Elizabeth, notwithſtanding her vigour and frugality, and the neceſſary wars in which ſhe was engaged, had reaſon to complain of the commons in this particular; nor could the authority of that princeſs, which was otherwiſe almoſt abſolute, ever extort from them the requiſite ſupplies. Habits, more than reaſon, we find in every thing to be the governing principle of mankind. In this view likewiſe the ſinking of the value of ſubſidies muſt be conſidered as a loſs to the king. The parliament, ſwayed by cuſtom, would not augment their number in the ſame proportion.

The puritanical party, though diſguiſed, had a great authority over the kingdom; and many of the leaders among the commons had ſecretly embraced the rigid tenets of that ſect. All theſe were diſguſted with the court, both by the prevalence of the principles of civil liberty eſſential to their party; and on account of the reſtraint under which they were held by the eſtabliſhed hierarchy. In order to fortify himſelf againſt the reſentment of James, Buckingham had affected popularity, and entered into the cabals of the puritans: But being ſecure of the confidence of Charles, he had ſince abandoned this party; and on that account was the more expoſed to their hatred and reſentment. Though the religious ſchemes of many of the puritans, when explained, appear pretty frivolous, we are not thence to imagine that they were purſued by none but perſons of weak underſtandings. Some men of the greateſt parts and moſt extenſive knowledge that the nation at this time produced, could not enjoy any peace of mind, becauſe obliged to hear prayers offered up to the Divinity by a prieſt covered with a white linen veſtment.

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The match with France and the articles in favour of catholics, which were ſuſpected to be in the treaty, were likewiſe cauſes of diſguſt to this whole party: Though it muſt be remarked, that the connexions with that crown were much leſs obnoxious to the proteſtants, and leſs agreeable to the catholics, than the alliance formerly projected with Spain, and were therefore received rather with pleaſure than diſſatisfaction.

To all theſe cauſes we muſt yet add another of conſiderable moment. The houſe of commons, we may obſerve, was almoſt entirely governed by a ſet of men of the moſt uncommon capacity and the largeſt views: Men who were now formed into a regular party, and united, as well by fixed aims and projects, as by the hardſhips which ſome of them had undergone in proſecution of them. Among theſe, we may mention the names of ſir Edward Coke, ſir Edwin Sandys, ſir Robert Philips, ſir Francis Seymour, ſir Dudley Digges, ſir John Elliot, ſir Thomas Wentworth, Mr. Selden, and Mr. Pym. Animated with a warm regard to liberty, theſe generous patriots ſaw with regret an unbounded power exerciſed by the crown, and were reſolved to ſeize the opportunity which the king's neceſſities offered them, of reducing the prerogative within more reaſonable compaſs. Though their anceſtors had blindly given way to practices and precedents favourable to kingly power, and had been able, notwithſtanding, to preſerve ſome ſmall remains of liberty; it would be impoſſible, they thought, when all theſe pretenſions were methodized and proſecuted, by the increaſing knowledge of the age, to maintain any ſhadow of popular government, in oppoſition to ſuch unlimited authority in the ſovereign. It was neceſſary to fix a choice: Either to abandon entirely the privileges of the people, or to ſecure them by firmer and more preciſe barriers than the conſtitution had hitherto provided for them. In this dilemma, men of ſuch aſpiring geniuſes and ſuch independent fortunes could not long deliberate: They boldly embraced the ſide of freedom, and reſolved to grant no ſupplies to their neceſſitous prince without extorting conceſſions in favour of civil liberty. The

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end, they eſteemed beneficent and noble: The means, regular and conſtitutional. To grant or refuſe ſupplies was the undoubted privilege of the commons. And as all human governments, particularly thoſe of a mixed frame, are in continual fluctuation, it was as natural in their opinion, and allowable, for popular aſſemblies to take advantage of favourable incidents, in order to ſecure the ſubject; as for monarchs, in order to extend their own authority. With pleaſure they beheld the king involved in a foreign war, which rendered him every day more dependant on the parliament; while at the ſame time the ſituation of the kingdom, even without any military preparations, gave it ſufficient ſecurity againſt all invaſion from foreigners. Perhaps too it had partly proceeded from expectations of this nature, that the popular leaders had been ſo urgent for a rupture with Spain; nor is it credible, that religious zeal could ſo far have blinded all of them as to make them diſcover in ſuch a meaſure any appearance of neceſſity, or any hopes of ſucceſs.

But, however natural all theſe ſentiments might appear to the country-party, it is not to be imagined that Charles would entertain the ſame ideas. Strongly prejudiced in favour of the duke, whom he had heard ſo highly extolled in parliament, he could not conjecture the cauſe of ſo ſudden an alteration in their opinions. And when the war which they themſelves had ſo earneſtly ſolicited, was at laſt commenced, the immediate deſertion of their ſovereign could not but ſeem very unaccountable. Even though no farther motive had been ſuſpected, the refuſal of ſupply in ſuch circumſtances would naturally to him appear cruel and deceitful: But when he perceived that this meaſure proceeded from an intention of encroaching on his authority, he failed not to regard theſe claims as highly criminal and traitorous. Thoſe lofty ideas of monarchical power which were very commonly adopted during that age, and to which the ambiguous nature of the Engliſh conſtitution gave ſo plauſible an appearance, were firmly riveted in Charles; and, however moderate his temper, the natural and unavoidable pre-

prepoſſeſſions of ſelf-love, joined to the late uniform precedents in favour of prerogative, had made him regard his political tenets as certain and uncontroverted. Taught to conſider even the ancient laws and conſtitution more as lines to direct his conduct, than barriers to withſtand his power; a conſpiracy to erect new ramparts in order to ſtraiten his authority appeared but one degree removed from open ſedition and rebellion. So atrocious in his eyes was ſuch a deſign, that he ſeems even unwilling to impute it to the commons: And though he was conſtrained to adjourn the parliament * by reaſon of the plague, which at that time raged in London; he immediately re-aſſembled them at Oxford †, and made a new attempt to gain from them ſome ſupplies in ſuch an urgent neceſſity.

Charles now found himſelf obliged to depart from that delicacy which he had formerly maintained. By himſelf or his miniſters, he entered into a particular detail both of the alliances which he had formed, and of the military operations which he had projected. He told the parliament, that by a promiſe of ſubſidies he had engaged the king of Denmark to take part in the war; that this monarch intended to enter Germany by the north, and to rouſe to arms thoſe princes who impatiently longed for an opportunity of aſſerting the liberty of the empire; that Mansfeldt had undertaken to penetrate with an Engliſh army into the Palatinate, and by that quarter to excite the members of the evangelical union; that the States muſt be ſupported in the unequal warfare which they maintained with Spain; that no leſs a ſum than 700,000 pounds a-year had been found, by computation, requiſite for all theſe purpoſes; that the maintenance of the fleet, and the defence of Ireland, demanded an annual expenſe of 400,000 pounds; that he himſelf had already exhauſted and anticipated in the public ſervice his whole revenue, and had ſcarcely left ſufficient for the daily ſubſiſtence of himſelf and his family; that on his acceſſion to the crown, he found a debt

* 11th July. † 1ſt Auguſt.

of above 300,000 pounds, contracted by his father in ſupport of the palatine; and that, while prince of Wales, he had himſelf contracted debts, notwithſtanding his great frugality, to the amount of 70,000 pounds, which he had expended entirely on naval and military armaments. After mentioning all theſe facts, the king even condeſcended to uſe entreaties. He ſaid, that this requeſt was the firſt that he had ever made them; that he was young and in the commencement of his reign; and if he now met with kind and dutiful uſage, it would endear to him the uſe of parliaments, and would for ever preſerve an entire harmony between him and his people.

To theſe reaſons the commons remained inexorable. Notwithſtanding that the king's meaſures, on the ſuppoſition of a foreign war, which they had conſtantly demanded, were altogether unexceptionable, they obſtinately refuſed any farther aid. Some members favourable to the court having inſiſted on an addition of two fifteenths to the former ſupply, even this pittance was refuſed; though it was known that a fleet and army were lying at Portſmouth in great want of pay and proviſions; and that Buckingham the admiral, and the treaſurer of the navy, had advanced on their own credit near a hundred thouſand pounds for the ſea-ſervice. Beſides all their other motives, the houſe of commons had made a diſcovery which, as they wanted but a pretence for their refuſal, inflamed them againſt the court and againſt the duke of Buckingham.

When James deſerted the Spaniſh alliance, and courted that of France, he had promiſed to furniſh Lewis, who was entirely deſtitute of naval force, with one ſhip of war, together with ſeven armed veſſels hired from the merchants. Theſe the French court had pretended they would employ againſt the Genoeſe, who being firm and uſeful allies to the Spaniſh monarchy, were naturally regarded with an evil eye both by the king of France and of England. When theſe veſſels by Charles's orders arrived at Diepe, there aroſe a ſtrong ſuſpicion that they were to ſerve againſt Rochelle. The ſailors were inflamed.

ed. That race of men, who are at preſent both careleſs and ignorant in all matters of religion, were at that time only ignorant. They drew up a remonſtrance to Pennington, their commander; and ſigning all their names in a circle, leſt he ſhould diſcover the ringleaders, they laid it under his prayer-book. Pennington declared, that he would rather be hanged in England for diſobedience, than fight againſt his brother proteſtants in France. The whole ſquadron ſailed immediately to the Downs. There they received new orders from Buckingham, lord admiral, to return to Diepe. As the duke knew that authority alone would not ſuffice, he employed much art and many ſubtilties to engage them to obedience; and a rumour which was ſpread, that peace had been concluded between the French king and the hugonots, aſſiſted him in his purpoſe. When they arrived at Diepe they found that they had been deceived. Sir Ferdinando Gorges, who commanded one of the veſſels, broke through and returned to England. All the officers and ſailors of all the other ſhips, notwithſtanding great offers made them by the French, immediately deſerted. One gunner alone preferred duty towards his king to the cauſe of religion; and he was afterwards killed in charging a cannon before Rochelle. The care which hiſtorians have taken to record this frivolous event, proves with what pleaſure the news was received by the nation.

The houſe of commons, when informed of theſe tranſactions, ſhowed the ſame attachment with the ſailors for the proteſtant religion; nor was their zeal much better guided by reaſon and ſound policy. It was not conſidered, that it was highly probable the king and the duke themſelves had here been deceived by the artifices of France, nor had they any hoſtile intention againſt the hugonots; that were it otherwiſe, yet might their meaſures be juſtified by the moſt obvious and moſt received maxims of civil policy; that if the force of Spain were really ſo exorbitant as the commons imagined, the French monarch was the only prince that could oppoſe its progreſs, and preſerve the balance of Europe; that

his power was at preſent fettered by the hugonots, who, being poſſeſſed of many privileges and even of fortified towns, formed an empire within his empire, and kept him in perpetual jealouſy and inquietude; that an inſurrection had been at that time wantonly and voluntarily formed by their leaders, who, being diſguſted in ſome court intrigue, took advantage of the never-failing pretence of religion, in order to cover their rebellion; that the Dutch, influenced by theſe views, had ordered a ſquadron of twenty ſhips to join the French fleet, employed againſt the inhabitants of Rochelle; that the Spaniſh monarch, ſenſible of the ſame conſequences, ſecretly ſupported the proteſtants in France; and that all princes had ever ſacrificed to reaſons of ſtate the intereſts of their religion in foreign countries. All theſe obvious conſiderations had no influence. Great murmurs and diſcontents ſtill prevailed in parliament. The hugonots, though they had no ground of complaint againſt the French court, were thought to be as much entitled to aſſiſtance from England, as if they had taken arms in defence of their liberties and religion againſt the perſecuting rage of the catholics. And it plainly appears from this incident, as well as from many others, that of all European nations, the Britiſh were at that time, and till long after, the moſt under the influence of that religious ſpirit which tends rather to inflame bigotry than increaſe peace and mutual charity.

On this occaſion, the commons renewed their eternal complaints againſt the growth of popery, which was ever the chief of their grievances, and now their only one. They demanded a ſtrict execution of the penal laws againſt the catholics, and remonſtrated againſt ſome late pardons granted to prieſts. They attacked Montague, one of the king's chaplains, on account of a moderate book which he had lately publiſhed, and which, to their great diſguſt, ſaved virtuous catholics, as well as other Chriſtians, from eternal torments. Charles gave them a gracious and a compliant anſwer to all their remonſtrances. He was however, in his heart, extremely averſe to theſe furious meaſures. Though a determined proteſtant

proteſtant by principle as well as inclination, he had entertained no violent horror againſt popery; and a little humanity, he thought, was due by the nation to the religion of their anceſtors. That degree of liberty which is now indulged to catholics, though a party much more obnoxious than during the reign of the Stuarts, it ſuited neither with Charles's ſentiments, nor the humour of the age, to allow them. An abatement of the more rigorous laws was all he intended; and his engagements with France, notwithſtanding that their regular execution had never been promiſed or expected, required of him ſome indulgence. But ſo unfortunate was this prince, that no meaſure embraced during his whole reign was ever attended with more unhappy and more fatal conſequences.

The extreme rage againſt popery was a ſure characteriſtic of puritaniſm. The houſe of commons diſcovered other infallible ſymptoms of the prevalence of that party. They petitioned the king for replacing ſuch able clergy as had been ſilenced for want of conformity to the ceremonies. They alſo enacted laws for the ſtrict obſervance of Sunday, which the puritans affected to call the Sabbath, and which they ſanctified by the moſt melancholy indolence. It is to be remarked, that the different appellations of this feſtival were at that time known ſymbols of the different parties.

The king finding that the parliament was reſolved to grant him no ſupply, and would furniſh him with nothing but empty proteſtations of duty, or diſagreeable complaints of grievances; took advantage of the plague *, which began to appear at Oxford, and on that pretence immediately diſſolved them. By finiſhing the

* The plague was really ſo violent, that it had been moved in the houſe at the beginning of the ſeſſion, to petition the king to adjourn them. Journ. 21 June 1625. So it was impoſſible to enter upon grievances, even if there had been any. The only buſineſs of the parliament was to give ſupply, which was ſo much wanted by the king, in order to carry on the war in which they had engaged him.

ſeſſion with a diſſolution, inſtead of a prorogation, he ſufficiently expreſſed his diſpleaſure at their conduct.

To ſupply the want of parliamentary aids, Charles iſſued privy-ſeals (Auguſt 12) for borrowing money from his ſubjects. The advantage reaped by this expedient was a ſmall compenſation for the diſguſt which it occaſioned: By means, however, of that ſupply, and by other expedients, he was, though with difficulty, enabled to equip his fleet (October 1). It conſiſted of eighty veſſels great and ſmall; and carried on board an army of 10,000 men. Sir Edward Cecil, lately created viſcount Wimbleton, was intruſted with the command. He ſailed immediately for Cadiz, and found the bay full of Spaniſh ſhips of great value. He either neglected to attack theſe ſhips, or attempted it prepoſterouſly. The army was landed and a fort taken: But the undiſciplined ſoldiers, finding ſtore of wine, could not be reſtrained from the utmoſt exceſſes. Farther ſtay appearing fruitleſs, they were reimbarked; and the fleet put to ſea with an intention of intercepting the Spaniſh galleons. But the plague having ſeized the ſeamen and ſoldiers, they were obliged to abandon all hopes of this prize, and return to England. Loud complaints were made againſt the court for entruſting ſo important a command to a man like Cecil, whom, though he poſſeſſed great experience, the people, judging by the event, eſteemed of ſlender capacity.

(1626.) Charles, having failed of ſo rich a prize, was obliged again to have recourſe to a parliament. Though the ill ſucceſs of his enterpriſes diminiſhed his authority, and ſhowed every day more plainly the imprudence of the Spaniſh war; though the increaſe of his neceſſities rendered him more dependant, and more expoſed to the encroachments of the commons; he was reſolved to try once more that regular and conſtitutional expedient for ſupply. Perhaps too, a little political art, which at that time he practiſed, was much truſted to. He had named four popular leaders, ſheriffs of counties; ſir Edward Coke, ſir Robert Philips, ſir Thomas Wentworth, and ſir Francis Seymour; and, though the queſtion

tion had been formerly much conteſted *, he thought that he had by that means incapacitated them from being elected members. But his intention being ſo evident, rather put the commons more upon their guard. Enow of patriots ſtill remained to keep up the ill humour of the houſe; and men needed but little inſtruction or rhetoric to recommend to them practices which increaſed their own importance and conſideration. The weakneſs of the court alſo could not more evidently appear than by its being reduced to uſe ſo ineffectual an expedient, in order to obtain an influence over the commons.

The views, therefore, of the laſt parliament were immediately adopted; as if the ſame men had been everywhere elected, and no time had intervened ſince their meeting. (Feb. 6.) When the king laid before the houſe his neceſſities, and aſked for ſupply, they immediately voted him three ſubſidies and three fifteenths; and though they afterwards added one ſubſidy more, the ſum was little proportioned to the greatneſs of the occaſion, and ill fitted to promote thoſe views of ſucceſs and glory for which the young prince in his firſt enterpriſe ſo ardently longed. But this circumſtance was not the moſt diſagreeable one. The ſupply was only voted by the commons. The paſſing of that vote into a law was reſerved till the end of the ſeſſion. A condition was thereby made, in a very undiſguiſed manner, with their ſovereign. Under colour of redreſſing grievances, which during this ſhort reign could not be very numerous, they were to proceed in regulating and controlling every part of government which diſpleaſed them: And if the king either cut them ſhort in this undertaking, or refuſed compliance with their demands, he muſt not expect any ſupply from the commons. Great diſſatisfaction was expreſſed by Charles at a treatment which he deemed ſo harſh and undutiful. But his urgent neceſſities obliged him to

* It is always an expreſs clauſe in the writ of ſummons, that no ſheriff ſhall be choſen; but the contrary practice had often prevailed. D'Ewes, p. 38. Yet ſtill great doubts were entertained on this head. See Journ. 9 April 1614.

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ſubmit; and he waited with patience, obſerving to what ſide they would turn themſelves.

The duke of Buckingham, formerly obnoxious to the public, became every day more unpopular, by the ſymptoms which appeared both of his want of temper and prudence, and of the uncontrolled aſcendant which he had acquired over his maſter *. Two violent attacks he was obliged this ſeſſion to ſuſtain; one from the earl of Briſtol, another from the houſe of commons.

As long as James lived, Briſtol, ſecure of the concealed favour of that monarch, had expreſſed all duty and obedience; in expectation that an opportunity would offer of reinſtating himſelf in his former credit and authority. Even after Charles's acceſſion, he deſpaired not. He ſubmitted to the king's commands of remaining at his country-ſeat, and of abſenting himſelf from parliament. Many trials he made to regain the good opinion of his maſter; but finding them all fruitleſs, and obſerving Charles to be entirely governed by Buckingham, his implacable enemy, he reſolved no longer to keep any meaſures with the court. A new ſpirit, he ſaw, and a new power, ariſing in the nation; and to theſe he was determined for the future to truſt for his ſecurity and protection.

When the parliament was ſummoned, Charles, by a ſtretch of prerogative, had given orders that no writ, as is cuſtomary, ſhould be ſent to Briſtol. That nobleman applied to the houſe of lords by petition; and craved their good offices with the king for obtaining what was his due as a peer of the realm. His writ was ſent him, but accompanied with a letter from the lord-keeper, Coventry, commanding him in the king's name to abſent himſelf from parliament. This letter Briſtol conveyed to the lords, and aſked advice how to proceed in ſo deli-

* His credit with the king had given him ſuch influence, that he had no leſs than twenty proxies granted him this parliament by ſo many peers; which occaſioned a vote, that no peer ſhould have above two proxies. The earl of Leiceſter in 1585 had once ten proxies.

cate

cate a ſituation. The king's prohibition was withdrawn, and Briſtol took his ſeat. Provoked at theſe repeated inſtances of vigour, which the court denominated contumacy, Charles ordered his attorney-general to enter an accuſation of high treaſon againſt him. By way of recrimination, Briſtol accuſed Buckingham of high treaſon. Both the earl's defence of himſelf and accuſation of the duke remain; and, together with ſome original letters ſtill extant, contain the fulleſt and moſt authentic account of all the negotiations with the houſe of Auſtria. From the whole, the great imprudence of the duke evidently appears, and the ſway of his ungovernable paſſions; but it would be difficult to collect thence any action which in the eye of the law could be deemed a crime; much leſs could ſubject him to the penalty of treaſon.

The impeachment of the commons was ſtill leſs dangerous to the duke, were it eſtimated by the ſtandard of law and equity. The houſe, after having voted upon ſome queries of Dr. Turner's, *that common fame was a ſufficient ground of accuſation by the commons*, proceeded to frame regular articles againſt Buckingham. They accuſed him of having united many offices in his perſon; of having bought two of them; of neglecting to guard the ſeas, inſomuch that many merchant-ſhips had fallen into the hands of the enemy; of delivering ſhips to the French king in order to ſerve againſt the hugonots; of being employed in the ſale of honours and offices; of accepting extenſive grants from the crown; of procuring many titles of honour for his kindred; and of adminiſtering phyſic to the late king without acquainting his phyſicians. All theſe articles appear, from comparing the accuſation and reply, to be either frivolous, or falſe, or both. The only charge which could be regarded as important was, that he had extorted a ſum of ten thouſand pounds from the Eaſt-India company, and that he had confiſcated ſome goods belonging to French merchants, on pretence of their being the property of Spaniſh. The impeachment never came to a full determination; ſo that it is difficult for us to give a deciſive opinion with regard

regard to theſe articles: But it muſt be confeſſed, that the duke's anſwer in theſe particulars, as in all the reſt, is ſo clear and ſatisfactory, that it is impoſſible to refuſe our aſſent to it. His faults and blemiſhes were in many reſpects very great; but rapacity and avarice were vices with which he was entirely unacquainted.

It is remarkable that the commons, though ſo much at a loſs to find articles of charge againſt Buckingham, never adopted Briſtol's accuſation, or impeached the duke for his conduct in the Spaniſh treaty, the moſt blameable circumſtance in his whole life. He had reaſon to believe the Spaniards ſincere in their profeſſions; yet, in order to gratify his private paſſions, he had hurried his maſter and his country into a war pernicious to the intereſts of both. But ſo riveted throughout the nation were the prejudices with regard to Spaniſh deceit and falſehood, that very few of the commons ſeem as yet to have been convinced that they had been ſeduced by Buckingham's narrative: A certain proof that a diſcovery of this nature was not, as is imagined by ſeveral hiſtorians, the cauſe of ſo ſudden and ſurpriſing a variation in the meaſures of the parliament *.

While the commons were thus warmly engaged againſt Buckingham, the king ſeemed deſirous of embracing every opportunity by which he could expreſs a contempt and diſregard for them. No one was at that time ſufficiently ſenſible of the great weight which the commons bore in the balance of the conſtitution. The hiſtory of England had never hitherto afforded one inſtance where any great movement or revolution had proceeded from the lower houſe. And as their rank, both conſidered in a body and as individuals, was but the ſecond in the kingdom; nothing leſs than fatal experience could engage the Engliſh princes to pay a due regard to the inclinations of that formidable aſſembly.

The earl of Suffolk, chancellor of the univerſity of Cambridge, dying about this time, Buckingham, though lying under impeachment, was yet, by means of court-

* See note [BB] at the end of the volume.

intereſt,

intereſt, choſen in his place. The commons reſented and loudly complained of this affront; and the more to enrage them, the king himſelf wrote a letter to the univerſity, extolling the duke, and giving them thanks for his election.

The lord-keeper, in the king's name, expreſly commanded the houſe not to meddle with his miniſter and ſervant, Buckingham; and ordered them to finiſh, in a few days, the bill which they had begun for the ſubſidies, and to make ſome addition to them; otherwiſe they muſt not expect to ſit any longer. And though theſe harſh commands were endeavoured to be explained and mollified, a few days after, by a ſpeech of Buckingham's, they failed not to leave a diſagreeable impreſſion behind them.

Beſides a more ſtately ſtyle, which Charles in general affected to this parliament than to the laſt, he went ſo far in a meſſage, as to threaten the commons, that if they did not furniſh him with ſupplies, he ſhould be obliged to try *new counſels*. This language was ſufficiently clear: Yet, leſt any ambiguity ſhould remain, ſir Dudley Carleton, vice-chamberlain, took care to explain it. "I pray you conſider," ſaid he, "what theſe new "counſels are or may be. I fear to declare thoſe that I "conceive. In all Chriſtian kingdoms, you know that "parliaments were in uſe anciently, by which thoſe "kingdoms were governed in a moſt flouriſhing manner; "until the monarchs began to know their own ſtrength, "and ſeeing the turbulent ſpirit of their parliaments, at "length they by little and little began to ſtand on their "prerogatives, and at laſt overthrew the parliaments, "throughout Chriſtendom, except here only with us. "—Let us be careful then to preſerve the king's good "opinion of parliaments, which bringeth ſuch happineſs to this nation, and makes us envied of all "others, while there is this ſweetneſs between his ma"jeſty and the commons; leſt we loſe the repute of a "free people by our turbulency in parliament." Theſe imprudent ſuggeſtions rather gave warning than ſtruck terror. A precarious liberty, the commons thought, which

which was to be preſerved by unlimited complaiſance, was no liberty at all. And it was neceſſary, while yet in their power, to ſecure the conſtitution by ſuch invincible barriers, that no king or miniſter ſhould ever, for the future, dare to ſpeak ſuch a language to any parliament, or even entertain ſuch a project againſt them.

Two members of the houſe, ſir Dudley Digges and ſir John Elliott, who had been employed as managers of the impeachment againſt the duke, were thrown into priſon. The commons immediately declared, that they would proceed no farther upon buſineſs, till they had ſatisfaction in their privileges. Charles alleged, as the reaſon of this meaſure, certain ſeditious expreſſions, which, he ſaid, had, in their accuſation of the duke, dropped from theſe members. Upon inquiry it appeared that no ſuch expreſſions had been uſed. The members were releaſed, and the king reaped no other benefit from this attempt than to exaſperate the houſe ſtill farther, and to ſhow ſome degree of precipitancy and indiſcretion.

Moved by this example, the houſe of peers were rouſed from their inactivity; and claimed liberty for the earl of Arundel, who had been lately confined in the Tower. After many fruitleſs evaſions, the king, though ſomewhat ungracefully, was at laſt obliged to comply. And in this incident it ſufficiently appeared, that the lords, how little ſoever inclined to popular courſes, were not wanting in a juſt ſenſe of their own dignity.

The ill humour of the commons, thus wantonly irritated by the court, and finding no gratification in the legal impeachment of Buckingham, ſought other objects on which it might exert itſelf. The never-failing cry of popery here ſerved them in ſtead. They again claimed the execution of the penal laws againſt catholics; and they preſented to the king a liſt of perſons entruſted with offices, moſt of them inſignificant, who were either convicted or ſuſpected recuſants. In this particular, they had, perhaps, ſome reaſon to blame the king's conduct. He had promiſed to the laſt houſe of commons a redreſs of this religious grievance: But he was apt, in imitation of

of his father, to imagine that the parliament, when they failed of ſupplying his neceſſities, had, on their part, freed him from the obligation of a ſtrict performance. A new odium, likewiſe, by theſe repreſentations, was attempted to be thrown upon Buckingham. His mother, who had great influence over him, was a profeſſed catholic; his wife was not free from ſuſpicion: And the indulgence given to catholics was of courſe ſuppoſed to proceed entirely from his credit and authority. So violent was the bigotry of the times, that it was thought a ſufficient reaſon for diſqualifying any one from holding an office, that his wife, or relations, or companions, were papiſts, though he himſelf was a conformiſt.

It is remarkable, that perſecution was here chiefly puſhed on by laymen; and that the church was willing to have granted more liberty than would be allowed by the commons. The reconciling doctrines likewiſe of Montague failed not anew to meet with ſevere cenſures from that zealous aſſembly.

The next attack made by the commons, had it prevailed, would have proved deciſive. They were preparing a remonſtrance againſt the levying of tonnage and poundage without conſent of parliament. This article, together with the new impoſitions laid on merchandiſe by James, conſtituted near half of the crown-revenues; and by depriving the king of theſe reſources, they would have reduced him to total ſubjection and dependance. While they retained ſuch a pledge, beſides the ſupply already promiſed, they were ſure that nothing could be refuſed them. Though after canvaſſing the matter near three months, they found themſelves utterly incapable of fixing any legal crime upon the duke, they regarded him as an unable and perhaps a dangerous miniſter; and they intended to preſent a petition, which would then have been equivalent to a command, for removing him from his majeſty's perſon and councils.

The king was alarmed at the yoke which he ſaw prepared for him. Buckingham's ſole guilt, he thought, was the being his friend and favourite. All the other complaints againſt him were mere pretences. A little

before, he was the idol of the people. No new crime had ſince been diſcovered. After the moſt diligent inquiry, prompted by the greateſt malice, the ſmalleſt appearance of guilt could not be fixed upon him. What idea, he aſked, muſt all mankind entertain of his honour, ſhould he ſacrifice his innocent friend to pecuniary conſiderations? What farther authority ſhould he retain in the nation, were he capable, in the beginning of his reign, to give, in ſo ſignal an inſtance, ſuch matter of triumph to his enemies, and diſcouragement to his adherents? To-day the commons pretend to wreſt his miniſter from him. To-morrow they will attack ſome branch of his prerogative. By their remonſtrances, and promiſes, and proteſtations, they had engaged the crown in a war. As ſoon as they ſaw a retreat impoſſible, without waiting for new incidents, without covering themſelves with new pretences, they immediately deſerted him, and refuſed him all reaſonable ſupply. It was evident, that they deſired nothing ſo much as to ſee him plunged in inextricable difficulties, of which they intended to take advantage. To ſuch deep perfidy, to ſuch unbounded uſurpations, it was neceſſary to oppoſe a proper firmneſs and reſolution. All encroachments on ſupreme power could only be reſiſted ſucceſsfully on the firſt attempt. The ſovereign authority was, with ſome difficulty, reduced from its ancient and legal height; but when once puſhed downwards, it ſoon became contemptible, and would eaſily, by the continuance of the ſame effort, now encouraged by ſucceſs, be carried to the loweſt extremity.

Prompted by theſe plauſible motives, Charles was determined immediately to diſſolve the parliament. When this reſolution was known, the houſe of peers, whoſe compliant behaviour entitled them to ſome authority with him, endeavoured to interpoſe; and they petitioned him that he would allow the parliament to ſit ſome time longer. *Not a moment longer*, cried the king haſtily; and he ſoon after ended the ſeſſion by a diſſolution.

As this meaſure was foreſeen, the commons took care to finiſh and diſperſe their remonſtrance, which they intended as a juſtification of their conduct to the people.

The king, likewiſe, on his part, publiſhed a declaration (15th June), in which he gave the reaſons of his diſagreement with the parliament, and of their ſudden diſſolution, before they had time to conclude any one act. Theſe papers furniſhed the partiſans on both ſides with ample matter of apology or of recrimination. But all impartial men judged "*That* the commons, though "they had not as yet violated any law, yet, by their "unpliableneſs and independence, were inſenſibly chang-"ing, perhaps improving, the ſpirit and genius, while "they preſerved the forms, of the conſtitution: And "*that* the king was acting altogether without any plan; "running on in a road ſurrounded on all ſides with the "moſt dangerous precipices, and concerting no proper "meaſures, either for ſubmitting to the obſtinacy of "the commons, or for ſubduing it."

After a breach with the parliament, which ſeemed ſo difficult to repair, the only rational counſel which Charles could purſue, was, immediately to conclude a peace with Spain, and to render himſelf, as far as poſſible, independent of his people, who diſcovered ſo little inclination to ſupport him, or rather who ſeem to have formed a determined reſolution to abridge his authority. Nothing could be more eaſy in the execution than this meaſure, nor more agreeable to his own and to national intereſt. But, beſides the treaties and engagements which he had entered into with Holland and Denmark, the king's thoughts were at this time averſe to pacific counſels. There are two circumſtances in Charles's character, ſeemingly incompatible, which attended him during the whole courſe of his reign, and were in part the cauſe of his misfortunes: He was very ſteady and even obſtinate in his purpoſe; and he was eaſily governed, by reaſon of his facility, and of his deference to men much inferior to himſelf both in morals and underſtanding. His great ends he inflexibly maintained: But the means of attaining them he readily received from his miniſters and favourites, though not always fortunate in his choice. The violent, impetuous Buckingham, inflamed with a deſire of revenge for injuries which he himſelf had com-

mitted, and animated with a love of glory which he had not talents to merit, had at this time, notwithſtanding his profuſe licentious life, acquired an invincible aſcendant over the virtuous and gentle temper of the king.

The *new counſels*, which Charles had mentioned to the parliament, were now to be tried, in order to ſupply his neceſſities. Had he poſſeſſed any military force, on which he could rely, it is not improbable, that he had at once taken off the maſk, and governed without any regard to parliamentary privileges: So high an idea had he received of kingly prerogative, and ſo contemptible a notion of the rights of thoſe popular aſſemblies, from which, he very naturally thought, he had met with ſuch ill uſage. But his army was new levied, ill paid, and worſe diſciplined; nowiſe ſuperior to the militia, who were much more numerous, and who were in a great meaſure under the influence of the country gentlemen. It behoved him, therefore, to proceed cautiouſly, and to cover his enterpriſes under the pretence of ancient precedents, which, conſidering the great authority commonly enjoyed by his predeceſſors, could not be wanting to him.

A commiſſion was openly granted, to compound with the catholics, and agree for diſpenſing with the penal laws enacted againſt them. By this expedient, the king both filled his coffers, and gratified his inclination of giving indulgence to theſe religioniſts: But he could not have employed any branch of prerogative, which would have been more diſagreeable, or would have appeared more exceptionable, to his proteſtant ſubjects.

From the nobility he deſired aſſiſtance: From the city he required a loan of 100,000 pounds. The former contributed ſlowly: But the latter, covering themſelves under many pretences and excuſes, gave him at laſt a flat refuſal.

In order to equip a fleet, a diſtribution, by order of council, was made to all the maritime towns; and each of them was required, with the aſſiſtance of the adjacent counties, to arm ſo many veſſels as were appointed them. The city

city of London was rated at twenty ſhips. This is the firſt appearance, in Charles's reign, of ſhip-money; a taxation which had once been impoſed by Elizabeth, but which afterwards, when carried ſome ſteps farther by Charles, created ſuch violent diſcontents.

Of ſome loans were required: To others the way of benevolence was propoſed: Methods ſupported by precedent, but always invidious, even in times more ſubmiſſive and compliant. In the moſt abſolute governments ſuch expedients would be regarded as irregular and unequal.

Theſe counſels for ſupply were conducted with ſome moderation; till news arrived that a great battle was fought (25th Aug.) between the king of Denmark and count Tilly, the Imperial general; in which the former was totally defeated. Money now, more than ever, became neceſſary, in order to repair ſo great a breach in the alliance, and to ſupport a prince who was ſo nearly allied to Charles, and who had been engaged in the war chiefly by the intrigues, ſolicitations, and promiſes of the Engliſh monarch. After ſome deliberation, an act of council was paſſed, importing, that as the urgency of affairs admitted not the way of parliament, the moſt ſpeedy, equal, and convenient method of ſupply was by a General Loan from the ſubject, according as every man was aſſeſſed in the rolls of the laſt ſubſidy. That preciſe ſum was required which each would have paid, had the vote of four ſubſidies paſſed into a law: But care was taken to inform the people, that the ſums exacted were not to be called ſubſidies, but loans. Had any doubt remained, whether forced loans, however authoriſed by precedent, and even by ſtatute, were a violation of liberty, and muſt, by neceſſary conſequence, render all parliaments ſuperfluous; this was the proper expedient for opening the eyes of the whole nation. The example of Henry VIII. who had once, in his arbitrary reign, practiſed a like method of levying a regular ſupply, was generally deemed a very inſufficient authority.

The commiſſioners appointed to levy theſe loans, among other articles of ſecret inſtruction, were enjoined,

" If any ſhall refuſe to lend, and ſhall make delays or " excuſes, and perſiſt in his obſtinacy, that they exa- " mine him upon oath, whether he has been dealt with " to deny or refuſe to lend, or make an excuſe for not " lending? Who has dealt with him, and what ſpeeches " or perſuaſions were uſed to that purpoſe? And that " they alſo ſhall charge every ſuch perſon, in his ma- " jeſty's name, upon his allegiance, not to diſcloſe " to any one what his anſwer was." So violent an inquiſitorial power, ſo impracticable an attempt at ſecrecy, were the objects of indignation, and even, in ſome degree, of ridicule.

That religious prejudices might ſupport civil authority, ſermons were preached by Sibthorpe and Manwaring, in favour of the general loan; and the court induſtriouſly ſpread them over the kingdom. Paſſive obedience was there recommended in its full extent, the whole authority of the ſtate was repreſented as belonging to the king alone, and all limitations of law and a conſtitution were rejected as ſeditious and impious. So openly was this doctrine eſpouſed by the court, that archbiſhop Abbot, a popular and virtuous prelate, was, becauſe he refuſed to licenſe Sibthorpe's ſermon, ſuſpended from the exerciſe of his office, baniſhed from London, and confined to one of his country-ſeats. Abbot's principles of liberty, and his oppoſition to Buckingham, had always rendered him very ungracious at court, and had acquired him the character of a puritan. For it is remarkable, that this party made the privileges of the nation as much a part of their religion, as the church party did the prerogatives of the crown; and nothing tended farther to recommend among the people, who always take opinions in the lump, the whole ſyſtem and all the principles of the former ſect. The king ſoon found, by fatal experience, that this engine of religion, which with ſo little neceſſity was introduced into politics, falling under more fortunate management, was played with the moſt terrible ſucceſs againſt him.

While the king, inſtigated by anger and neceſſity, thus employed the whole extent of his prerogative, the ſpirit

ſpirit of the people was far from being ſubdued. Throughout England, many refuſed theſe loans; ſome were even active in encouraging their neighbours to inſiſt upon their common rights and privileges. By warrant of the council *theſe* were thrown into priſon. Moſt of them with patience ſubmitted to confinement, or applied by petition to the king, who commonly releaſed them. Five gentlemen alone, ſir Thomas Darnel, ſir John Corbet, ſir Walter Earl, ſir John Heveningham, and ſir Edmond Hambden, had ſpirit enough, at their own hazard and expenſe, to defend the public liberties, and to demand releaſement, not as a favour from the court, but as their due, by the laws of their country. No particular cauſe was aſſigned of their commitment. The ſpecial command alone of the king and council was pleaded; and it was aſſerted, that, by law, this was not ſufficient reaſon for refuſing bail or releaſement to the priſoners.

(November.) This queſtion was brought to a ſolemn trial before the king's bench; and the whole kingdom was attentive to the iſſue of a cauſe, which was of much greater conſequence than the event of many battles.

By the debates on this ſubject it appeared, beyond controverſy, to the nation, that their anceſtors had been ſo jealous of perſonal liberty, as to ſecure it againſt arbitrary power in the crown, by ſix ſeveral ſtatutes, and by an article of the Great Charter itſelf, the moſt ſacred foundation of the laws and conſtitution. But the kings of England, who had not been able to prevent the enacting of theſe laws, had ſufficient authority, when the tide of liberty was ſpent, to obſtruct their regular execution; and they deemed it ſuperfluous to attempt the formal repeal of ſtatutes which they found ſo many expedients and pretences to elude. Turbulent and ſeditious times frequently occurred, when the ſafety of the people abſolutely required the confinement of factious leaders; and by the genius of the old conſtitution, the prince, of himſelf, was accuſtomed to aſſume every branch of prerogative, which was found neceſſary for the

the preſervation of public peace and of his own authority. Expediency at other times would cover itſelf under the appearance of neceſſity; and, in proportion as precedents multiplied, the will alone of the ſovereign was ſufficient to ſupply the place of expediency, of which he conſtituted himſelf the ſole judge. In an age and nation where the power of a turbulent nobility prevailed, and where the king had no ſettled military force, the only means that could maintain public peace, was the exertion of ſuch prompt and diſcretionary powers in the crown; and the public itſelf had become ſo ſenſible of the neceſſity, that thoſe ancient laws in favour of perſonal liberty, while often violated, had never been challenged or revived, during the courſe of near three centuries. Though rebellious ſubjects had frequently, in the open field, reſiſted the king's authority; no perſon had been found ſo bold, while confined and at mercy, as to ſet himſelf in oppoſition to regal power, and to claim the protection of the conſtitution againſt the will of the ſovereign. It was not till this age, when the ſpirit of liberty was univerſally diffuſed, when the principles of government were nearly reduced to a ſyſtem, when the tempers of men, more civilized, ſeemed leſs to require thoſe violent exertions of prerogative, that theſe five gentlemen above mentioned, by a noble effort, ventured, in this national cauſe, to bring the queſtion to a final determination. And the king was aſtoniſhed to obſerve, that a power, exerciſed by his predeceſſors, almoſt without interruption, was found, upon trial, to be directly oppoſite to the cleareſt laws, and ſupported by few undoubted precedents in courts of judicature. Theſe had ſcarcely, in any inſtance, refuſed bail upon commitments by ſpecial command of the king; becauſe the perſons committed had ſeldom or never dared to demand it, at leaſt to inſiſt on their demand.

(1627.) Sir Randolf Crew, chief juſtice, had been diſplaced, as unfit for the purpoſes of the court: Sir Nicholas Hyde, eſteemed more obſequious, had obtained that high office: Yet the judges, by his direction, went no farther than to remand the gentlemen to priſon, and refuſe

refuſe the bail which was offered. Heathe, the attorney-general, inſiſted, that the court, in imitation of the judges in the 34th of Elizabeth, ſhould enter a general judgment, that no bail could be granted, upon a commitment by the king or council. But the judges wiſely declined complying. The nation, they ſaw, was already to the laſt degree exaſperated. In the preſent diſpoſition of men's minds, univerſal complaints prevailed, as if the kingdom were reduced to ſlavery. And the moſt invidious prerogative of the crown, it was ſaid, that of impriſoning the ſubject, is here openly and ſolemnly, and in numerous inſtances, exerciſed for the moſt invidious purpoſe; in order to extort loans, or rather ſubſidies, without conſent of parliament.

But this was not the only hardſhip of which the nation then thought they had reaſon to complain. The army, which had made the fruitleſs expedition to Cadiz, was diſperſed throughout the kingdom; and money was levied upon the counties for the payment of their quarters.

The ſoldiers were billeted upon private houſes, contrary to cuſtom, which required that, in all ordinary caſes, they ſhould be quartered in inns and public-houſes.

Thoſe who had refuſed or delayed the loan, were ſure to be loaded with a great number of theſe dangerous and diſorderly gueſts.

Many too, of low condition, who had ſhown a refractory diſpoſition, were preſſed into the ſervice, and inliſted in the fleet or army. Sir Peter Hayman, for the ſame reaſon, was deſpatched on an errand to the Palatinate. Glanville, an eminent lawyer, had been obliged, during the former interval of parliament, to accept of an office in the navy.

The ſoldiers, ill paid and undiſciplined, committed many crimes and outrages, and much increaſed the public diſcontents. To prevent theſe diſorders, martial law, ſo requiſite to the ſupport of diſcipline, was exerciſed upon the ſoldiers. By a contradiction, which is natural when the people are exaſperated, the outrages

of

of the army were complained of; the remedy was thought ſtill more intolerable. Though the expediency, if we are not rather to ſay the neceſſity, of martial law, had formerly been deemed, of itſelf, a ſufficient ground for eſtabliſhing it; men, now become more jealous of liberty, and more refined reaſoners in queſtions of government, regarded as illegal and arbitrary, every exerciſe of authority which was not ſupported by expreſs ſtatute or uninterrupted precedent.

It may ſafely be affirmed, that, except a few courtiers or eccleſiaſtics, all men were diſpleaſed with this high exertion of prerogative, and this new ſpirit of adminiſtration. Though ancient precedents were pleaded in favour of the king's meaſures; a conſiderable difference, upon compariſon, was obſerved between the caſes. Acts of power, however irregular, might caſually, and at intervals, be exerciſed by a prince, for the ſake of deſpatch or expediency; and yet liberty ſtill ſubſiſt in ſome tolerable degree under his adminiſtration. But where all theſe were reduced into a ſyſtem, were exerted without interruption, were ſtudiouſly ſought for, in order to ſupply the place of laws, and ſubdue the refractory ſpirit of the nation, it was neceſſary to find ſome ſpeedy remedy, or finally to abandon all hopes of preſerving the freedom of the conſtitution. Nor did moderate men eſteem the provocation which the king had received, though great, ſufficient to warrant all theſe violent meaſures. The commons, as yet, had nowiſe invaded his authority: They had only exerciſed, as beſt pleaſed them, their own privileges. Was he juſtifiable, becauſe from one houſe of parliament he had met with harſh and unkind treatment, to make in revenge an invaſion on the rights and liberties of the whole nation?

But great was at this time the ſurpriſe of all men, when Charles, baffled in every attempt againſt the Auſtrian dominions, embroiled with his own ſubjects, unſupplied with any treaſure but what he extorted by the moſt invidious and moſt dangerous meaſures; as if the half of Europe, now his enemy, were not ſufficient for

for the exercise of military prowess; wantonly attacked France, the other great kingdom in his neighbourhood, and engaged at once in war against these two powers, whose interests were hitherto deemed so incompatible, that they could never, it was thought, agree either in the same friendships or enmities. All authentic memoirs, both foreign and domestic, ascribe to Buckingham's counsels this war with France, and represent him as actuated by motives, which would appear incredible, were we not acquainted with the violence and temerity of his character.

The three great monarchies of Europe were at this time ruled by young princes, Philip, Lewis, and Charles, who were nearly of the same age, and who had resigned the government of themselves, and of their kingdoms, to their creatures and ministers, Olivarez, Richelieu, and Buckingham. The people, whom the moderate temper or narrow genius of their princes would have allowed to remain for ever in tranquillity, were strongly agitated by the emulation and jealousy of the ministers. Above all, the towering spirit of Richelieu, incapable of rest, promised an active age, and gave indications of great revolutions throughout all Europe.

This man had no sooner, by suppleness and intrigue, gotten possession of the reins of government, that he formed at once three mighty projects; to subdue the turbulent spirits of the great, to reduce the rebellious hugonots, and to curb the encroaching power of the house of Austria. Undaunted and implacable, prudent and active, he braved all the opposition of the French princes and nobles in the prosecution of his vengeance; he discovered and dissipated all their secret cabals and conspiracies. His sovereign himself he held in subjection, while he exalted the throne. The people, while they lost their liberties, acquired, by means of his administration, learning, order, discipline, and renown. That confused and inaccurate genius of government, of which France partook in common with other European kingdoms, he changed into a simple monarchy; at the very time when the incapacity of Buckingham encouraged the

the free ſpirit of the commons to eſtabliſh in England a regular ſyſtem of liberty.

However unequal the compariſon between theſe miniſters, Buckingham had entertained a mighty jealouſy againſt Richelieu; a jealouſy not founded on rivalſhip of power and politics, but of love and gallantry; where the duke was as much ſuperior to the cardinal, as he was inferior in every other particular.

At the time when Charles married by proxy the princeſs Henrietta, the duke of Buckingham had been ſent to France, in order to grace the nuptials, and conduct the new queen into England. The eyes of the French court were directed by curioſity towards that man, who had enjoyed the unlimited favour of two ſucceſſive monarchs, and who, from a private ſtation, had mounted in the earlieſt youth to the abſolute government of three kingdoms. The beauty of his perſon, the gracefulneſs of his air, the ſplendour of his equipage, his fine taſte in dreſs, feſtivals, and carouſals, correſponded to the prepoſſeſſions entertained in his favour: The affability of his behaviour, the gaiety of his manners, the magnificence of his expenſe, increaſed ſtill farther the general admiration which was paid him. All buſineſs being already concerted, the time was entirely ſpent in mirth and entertainments; and, during thoſe ſplendid ſcenes among that gay people, the duke found himſelf in a ſituation where he was perfectly qualified to excel. But his great ſucceſs at Paris proved as fatal as his former failure at Madrid. Encouraged by the ſmiles of the court, he dared to carry his ambitious addreſſes to the queen herſelf; and he failed not to make impreſſion on a heart not undiſpoſed to the tender paſſions. That attachment, at leaſt of the mind, which appears ſo delicious, and is ſo dangerous, ſeems to have been encouraged by the princeſs; and the duke preſumed ſo far on her good graces, that, after his departure, he ſecretly returned upon ſome pretence, and, paying a viſit to the queen, was diſmiſſed with a reproof which ſavoured more of kindneſs than of anger.

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Information of this correſpondence was ſoon carried to Richelieu. The vigilance of that miniſter was here farther rouſed by jealouſy. He too, either from vanity or politics, had ventured to pay his addreſſes to the queen. But a prieſt, paſt middle age, of a ſevere character, and occupied in the moſt extenſive plans of ambition or vengeance, was but an unequal match in that conteſt, for a young courtier, entirely diſpoſed to gaiety and gallantry. The cardinal's diſappointment ſtrongly inclined him to counterwork the amorous projects of his rival. When the duke was making preparations for a new embaſſy to Paris, a meſſage was ſent him from Lewis, that he muſt not think of ſuch a journey. In a romantic paſſion, he ſwore, *That he would ſee the queen, in ſpite of all the power of France*; and, from that moment, he determined to engage England in a war with that kingdom.

He firſt took advantage of ſome quarrels excited by the queen of England's attendants; and he perſuaded Charles to diſmiſs at once all her French ſervants, contrary to the articles of the marriage treaty. He encouraged the Engliſh ſhips of war and privateers to ſeize veſſels belonging to French merchants; and *theſe* he forthwith condemned as prizes, by a ſentence of the court of admiralty. But finding that all theſe injuries produced only remonſtrances and embaſſies, or at moſt repriſals, on the part of France, he reſolved to ſecond the intrigues of the duke of Soubize, and to undertake at once a military expedition againſt that kingdom.

Soubize, who, with his brother the duke of Rohan, was the leader of the hugonot faction, was at that time in London, and ſtrongly ſolicited Charles to embrace the protection of theſe diſtreſſed religioniſts. He repreſented, that after the inhabitants of Rochelle had been repreſſed by the combined ſquadrons of England and Holland, after peace was concluded with the French king under Charles's mediation, the ambitious cardinal was ſtill meditating the deſtruction of the hugonots; that preparations were ſilently making in every province of France for the ſuppreſſion of their religion; that forts were erected in order to bridle Rochelle, the moſt con-

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ſiderable bulwark of the proteſtants; that the reformed in France caſt their eyes on Charles as the head of their faith, and conſidered him as a prince engaged by intereſt, as well as inclination, to ſupport them; that, ſo long as their party ſubſiſted, Charles might rely on their attachment as much as on that of his own ſubjects; but if their liberties were once raviſhed from them, the power of France, freed from this impediment, would ſoon become formidable to England, and to all the neighbouring nations.

Though Charles probably bore but ſmall favour to the hugonots, who ſo much reſembled the puritans in diſcipline and worſhip, in religion and politics, he yet allowed himſelf to be gained by theſe arguments, enforced by the ſolicitations of Buckingham. A fleet of a hundred ſail, and an army of 7000 men, were fitted out for the invaſion of France, and both of them entruſted to the command of the duke, who was altogether unacquainted both with land and ſea-ſervice. The fleet appeared before Rochelle; but ſo ill-concerted were Buckingham's meaſures, that the inhabitants of that city ſhut their gates, and refuſed to admit allies, of whoſe coming they were not previouſly informed. All his military operations ſhowed equal incapacity and inexperience. (9th July.) Inſtead of attacking Oleron, a fertile iſland and defenceleſs, he bent his courſe to the iſle of Rhé, which was well garriſoned and fortified: Having landed his men, though with ſome loſs, he followed not the blow, but allowed Toiras, the French governor, five days reſpite; during which St. Martin was victualled and provided for a ſiege. He left behind him the ſmall fort of Prie, which could at firſt have made no manner of reſiſtance: Though reſolved to ſtarve St. Martin, he guarded the ſea negligently, and allowed proviſions and ammunition to be thrown into it: Deſpairing to reduce it by famine, he attacked it without having made any breach, and raſhly threw away the lives of the ſoldiers: Having found that a French army had ſtolen over in ſmall diviſions, and had landed at Prie, the fort which he had at firſt overlooked, he began to think of a retreat (Oct. 28);

28); but made it ſo unſkilfully, that it was equivalent to a total rout: He was the laſt of the army that embarked; and he returned to England, having loſt two thirds of his land-forces; totally diſcredited both as an admiral and a general; and bringing no praiſe with him, but the vulgar one of courage and perſonal bravery.

The duke of Rohan, who had taken arms as ſoon as Buckingham appeared upon the coaſt, diſcovered the dangerous ſpirit of the ſect, without being able to do any miſchief: The inhabitants of Rochelle, who had at laſt been induced to join the Engliſh, haſtened the vengeance of their maſter, exhauſted their proviſions in ſupplying their allies, and were threatened with an immediate ſiege. Such were the fruits of Buckingham's expedition againſt France.

CHAP. LI.

Third parliament—Petition of right—Prorogation—Death of Buckingham—New ſeſſion of parliament—Tonnage and poundage—Arminianiſm—Diſſolution of the parliament.

(1628.) THERE was reaſon to apprehend ſome diſorder or inſurrection from the diſcontents which prevailed among the people in England. Their liberties they believed were raviſhed from them; illegal taxes extorted; their commerce, which had met with a ſevere check from the Spaniſh, was totally annihilated by the French war; thoſe military honours tranſmitted to them from their anceſtors, had received a grievous ſtain, by two unſucceſsful and ill-conducted expeditions; ſcarce an illuſtrious family but mourned, from the laſt of them, the loſs of a ſon or brother; greater calamities were dreaded from the war with theſe powerful monarchies, concurring with the internal diſorders under which the nation laboured. And theſe ills were aſcribed, not to the refractory diſpoſition of the two former parliaments, to

which they were partly owing; but ſolely to Charles's obſtinacy, in adhering to the counſels of Buckingham; a man nowiſe entitled, by his birth, age, ſervices, or merit, to that unlimited confidence repoſed in him. To be ſacrificed to the intereſt, policy, and ambition of the great, is ſo much the common lot of the people, that they may appear unreaſonable who would pretend to complain of it: But to be the victim of the frivolous gallantry of a favourite, and of his boyiſh caprices, ſeemed the object of peculiar indignation.

In this ſituation, it may be imagined, the king and the duke dreaded above all things the aſſembling of a parliament: But ſo little foreſight had they poſſeſſed in their enterpriſing ſchemes, that they found themſelves under an abſolute neceſſity of embracing that expedient. The money levied, or rather extorted, under colour of prerogative, had come in very ſlowly, and had left ſuch ill-humour in the nation, that it appeared dangerous to renew the experiment. The abſolute neceſſity of ſupply, it was hoped, would engage the commons to forget all paſt injuries; and, having experienced the ill effects of former obſtinacy, they would probably aſſemble with a reſolution of making ſome reaſonable compliances. The more to ſoften them, it was concerted, by ſir Robert Cotton's advice, that Buckingham ſhould be the firſt perſon that propoſed in council the calling of a new parliament. Having laid in this ſtock of merit, he expected that all his former miſdemeanours would be overlooked and forgiven; and that, inſtead of a tyrant and oppreſſor, he ſhould be regarded as the firſt patriot in the nation.

The views of the popular leaders were much more judicious and profound. When the commons aſſembled (March 17), they appeared to be men of the ſame independent ſpirit with their predeceſſors, and poſſeſſed of ſuch riches, that their property was computed to ſurpaſs three times that of the houſe of peers; they were deputed by boroughs and counties, inflamed all of them by the late violations of liberty; many of the members themſelves had been caſt into priſon, and had ſuffered by the meaſures

measures of the court; yet, notwithstanding these circumstances, which might prompt them to embrace violent resolutions, they entered upon business with perfect temper and decorum. They considered, that the king, disgusted at these popular assemblies, and little prepossessed in favour of their privileges, wanted but a fair pretence for breaking with them, and would seize the first opportunity offered by any incident, or any undutiful behaviour of the members. He fairly told them in his first speech that, "if they should not do their duties, in contributing "to the necessities of the state, he must, in discharge "of his conscience, use those other means which God had "put into his hands, in order to save that which the fol-"lies of some particular men may otherwise put in danger. "Take not this for a threatening," added the king, "for "I scorn to threaten any but my equals; but as an ad-"monition from him who, by nature and duty, has most "care of your preservation and prosperity." The lord-keeper, by the king's direction, subjoined, "This way "of parliamentary supplies, as his majesty told you, he "hath chosen, not as the only way, but as the fittest; not "because he is destitute of others, but because it is most "agreeable to the goodness of his own most gracious "disposition, and to the desire and weal of his people. "If this be deferred, necessity and the sword of the "enemy make way for the others. Remember his ma-"jesty's admonition; I say, remember it." From these avowed maxims, the commons foresaw that, if the least handle were afforded, the king would immediately dissolve them, and would thenceforward deem himself justified for violating, in a manner still more open, all the ancient forms of the constitution. No remedy could then be looked for, but from insurrections and civil war, of which the issue would be extremely uncertain, and which must, in all events, prove calamitous to the nation. To correct the late disorders in the administration required some new laws, which would, no doubt, appear harsh to a prince so enamoured of his prerogative; and it was requisite to temper, by the decency and moderation of their debates, the rigour which must necessarily

attend their determinations. Nothing can give us a higher idea of the capacity of thoſe men who now guided the commons, and of the great authority which they had acquired, than the forming and executing of ſo judicious and ſo difficult a plan of operations.

The decency, however, which the popular leaders had preſcribed to themſelves, and recommended to others, hindered them not from making the loudeſt and moſt vigorous complaints againſt the grievances under which the nation had lately laboured. Sir Francis Seymour ſaid, "This is the great council of the kingdom, and here with "certainty, if not here only, his majeſty may ſee, as in "a true glaſs, the ſtate of the kingdom. We are called "hither by his writs, in order to give him faithful counſel; "ſuch as may ſtand with his honour: And this we muſt "do without flattery. We are alſo ſent hither by the "people, in order to deliver their juſt grievances: And "this we muſt do without fear. Let us not act like "Cambyſes's judges, who, when their approbation was "demanded by the prince to ſome illegal meaſure, ſaid, "that, *Though there was a written law, the Perſian "kings might follow their own will and pleaſure.* This "was baſe flattery, fitter for our reproof than our imi-"tation; and as fear, ſo flattery taketh away the judg-"ment. For my part, I ſhall ſhun both; and ſpeak my "mind with as much duty as any man to his majeſty, "without neglecting the public.

"But how can we expreſs our affections, while we re-"tain our fears; or ſpeak of giving, till we know "whether we have any thing to give? For, if his ma-"jeſty may be perſuaded to take what he will, what need "we give?

"That this hath been done, appeareth by the billet-"ing of ſoldiers, a thing nowiſe advantageous to the "king's ſervice, and a burden to the commonwealth: "By the impriſonment of gentlemen for refuſing the "loan, who, if they had done the contrary for fear, had "been as blameable as the projectors of that oppreſſive "meaſure. To countenance theſe proceedings, hath it "not been preached in the pulpit, or rather prated, that

"*All*

" *All we have is the king's by divine right?* But when " preachers forſake their own calling, and turn ignorant " ſtateſmen; we ſee how willing they are to exchange a " good conſcience for a biſhopric.

" He, I muſt confeſs, is no good ſubject, who would " not, willingly and cheerfully, lay down his life, when " that ſacrifice may promote the intereſts of his ſove- " reign, and the good of the commonwealth. But he " is not a good ſubject, he is a ſlave, who will allow his " goods to be taken from him againſt his will, and his " liberty againſt the laws of the kingdom. By op- " poſing theſe practices, we ſhall but tread in the ſteps " of our forefathers, who ſtill preferred the public before " their private intereſt, nay, before their very lives. It " will in us be a wrong done to ourſelves, to our poſte- " rities, to our conſciences, if we forego this claim and " pretenſion."

" I read of a cuſtom," ſaid ſir Robert Philips, " among the old Romans, that, once every year, they held " a ſolemn feſtival in which their ſlaves had liberty, with- " out exception, to ſpeak what they pleaſed, in order to " eaſe their afflicted minds; and, on the concluſion of " the feſtival, the ſlaves ſeverally returned to their former " ſervitudes.

" This inſtitution may, with ſome diſtinction, well ſet " forth our preſent ſtate and condition. After the revo- " lution of ſome time, and the grievous ſufferance of " many violent oppreſſions, we have now, at laſt, as thoſe " ſlaves, obtained, for a day, ſome liberty of ſpeech: " But ſhall not, I truſt, be hereafter ſlaves: For we are " born free. Yet, what new illegal burdens our eſtates " and perſons have groaned under, my heart yearns to " think of, my tongue faulters to utter.——

" The grievances, by which we are oppreſſed, I draw " under two heads; acts of power againſt law, and the " judgments of lawyers againſt our liberty."

Having mentioned three illegal judgments paſſed within his memory; that by which the Scots, born after James's acceſſion, were admitted to all the privileges of Engliſh ſubjects; that by which the new impoſitions had

had been warranted; and the late one, by which arbitrary impriſonments were authoriſed; he thus proceeded:

"I can live, though another, who has no right, be put "to live along with me; nay, I can live, though bur- "dened with impoſitions, beyond what at preſent I la- "bour under: But to have my liberty, which is the ſoul "of my life, raviſhed from me; to have my perſon pent "up in a jail, without relief by law, and to be ſo ad- "judged,——O, improvident anceſtors! O, unwiſe fore- "fathers! to be ſo curious in providing for the quiet "poſſeſſion of our lands, and the liberties of parliament; "and, at the ſame time, to neglect our perſonal liberty, "and let us lie in priſon, and that during pleaſure, with- "out redreſs or remedy! If this be law, why do we talk "of liberties? Why trouble ourſelves with diſputes "about a conſtitution, franchiſes, property of goods, and "the like? What may any man call his own, if not the "liberty of his perſon?

"I am weary of treading theſe ways; and therefore "conclude to have a ſelect committee, in order to frame "a petition to his majeſty for redreſs of theſe grievances. "And this petition being read, examined, and approved, "may be delivered to the king; of whoſe gracious an- "ſwer we have no cauſe to doubt, our deſires being ſo "reaſonable, our intentions ſo loyal, and the manner ſo "dutiful. Neither need we fear, that this is the critical "parliament, as has been inſinuated; or that this is the "way to diſtraction: But aſſure ourſelves of a happy "iſſue. Then ſhall the king, as he calls us his great "council, find us his true council, and own us his good "council."

The ſame topics were enforced by ſir Thomas Wentworth. After mentioning projectors and ill miniſters of ſtate, "Theſe," ſaid he, "have introduced a privy- "council, raviſhing, at once, the ſpheres of all ancient "government, deſtroying all liberty; impriſoning us "without bail or bond. They have taken from us—— "What ſhall I ſay? Indeed, what have they left us? "By tearing up the roots of all property, they have taken "from

" from us every means of ſupplying the king, and of in-
" gratiating ourſelves by voluntary proofs of our duty
" and attachment towards him.

" To the making whole all theſe breaches, I ſhall
" apply myſelf; and, to all theſe diſeaſes, ſhall pro-
" pound a remedy. By one and the ſame thing, have
" the king and the people been hurt, and by the ſame
" muſt they be cured. We muſt vindicate: What?
" New things? No: Our ancient, legal, and vital li-
" berties; by reinforcing the laws enacted by our an-
" ceſtors; by ſetting ſuch a ſtamp upon them, that no
" licentious ſpirit ſhall dare henceforth to invade them.
" And ſhall we think this a way to break a parliament?
" No: Our deſires are modeſt and juſt. I ſpeak both
" for the intereſt of king and people. If we enjoy not
" theſe rights, it will be impoſſible for us to relieve him.
" Let us never, therefore, doubt of a favourable recep-
" tion from his goodneſs."

Theſe ſentiments were unanimouſly embraced by the whole houſe. Even the court party pretended not to plead, in defence of the late meaſures, any thing but the neceſſity to which the king had been reduced, by the obſtinacy of the two former parliaments. A vote, therefore, was paſſed without oppoſition againſt arbitrary impriſonments and forced loans. And the ſpirit of liberty having obtained ſome contentment by this exertion, the reiterated meſſages of the king, who preſſed for ſupply, were attended to with more temper. Five ſubſidies were voted him; with which, though much inferior to his wants, he declared himſelf well ſatisfied; and even tears of affection ſtarted in his eye, when he was informed of this conceſſion. The duke's approbation too was mentioned by ſecretary Coke; but the conjunction of a ſubject with the ſovereign was ill received by the houſe. Though diſguſted with the king, the jealouſy which they felt for his honour was more ſenſible than that which his unbounded confidence in the duke would allow even himſelf to entertain.

The ſupply, though voted, was not, as yet, paſſed into a law; and the commons reſolved to employ the interval,

terval, in providing ſome barriers to their rights and liberties ſo lately violated. They knew that their own vote, declaring the illegality of the former meaſures, had not, of itſelf, ſufficient authority to ſecure the conſtitution againſt future invaſion. Some act to that purpoſe muſt receive the ſanction of the whole legiſlature; and they appointed a committee to prepare the model of ſo important a law. By collecting into one effort all the dangerous and oppreſſive claims of his prerogative, Charles had expoſed them to the hazard of one aſſault; and had farther, by preſenting a nearer view of the conſequences attending them, rouſed the independent genius of the commons. Forced loans, benevolences, taxes without conſent of parliament, arbitrary impriſonment, the billeting of ſoldiers, martial law; theſe were the grievances complained of, and againſt theſe an eternal remedy was to be provided. The commons pretended not, as they affirmed, to any unuſual powers or privileges: They aimed only at ſecuring thoſe which had been tranſmitted them from their anceſtors: And their law they reſolved to call a PETITION OF RIGHT; as implying that it contained a corroboration or explanation of the ancient conſtitution, not any infringement of royal prerogative, or acquiſition of new liberties.

While the committee was employed in framing the petition of right, the favourers of each party, both in parliament and throughout the nation, were engaged in diſputes about this bill, which, in all likelihood, was to form a memorable æra in the Engliſh government.

That the ſtatutes, ſaid the partiſans of the commons, which ſecure Engliſh liberty, are not become obſolete, appears hence, that the Engliſh have ever been free, and have ever been governed by law and a limited conſtitution. Privileges in particular, which are founded on the GREAT CHARTER, muſt always remain in force, becauſe derived from a ſource of never-failing authority; regarded, in all ages, as the moſt ſacred contract between king and people. Such attention was paid to this charter by our generous anceſtors, that they got the confirmation of it reiterated thirty ſeveral times; and even ſecured it

by

by a rule, which, though vulgarly received, ſeems in the execution impracticable. They have eſtabliſhed it as a maxim, *That even a ſtatute, which ſhould be enacted in contradiction to any article of that charter, cannot have force or validity.* But with regard to that important article which ſecures perſonal liberty; ſo far from attempting, at any time, any legal infringement of it, they have corroborated it by ſix ſtatutes, and put it out of all doubt and controverſy. If in practice it has often been violated, abuſes can never come in the place of rules; nor can any rights or legal powers be derived from injury and injuſtice. But the title of the ſubject to perſonal liberty not only is founded on ancient, and therefore the more ſacred laws: It is confirmed by the whole ANALOGY of the government and conſtitution. A free monarchy in which every individual is a ſlave, is a glaring contradiction; and it is requiſite, where the laws aſſign privileges to the different orders of the ſtate, that it likewiſe ſecure the independence of the members. If any difference could be made in this particular, it were better to abandon even life or property to the arbitrary will of the prince; nor would ſuch immediate danger enſue, from that conceſſion, to the laws and to the privileges of the people. To bereave of his life a man not condemned by any legal trial, is ſo egregious an exerciſe of tyranny, that it muſt at once ſhock the natural humanity of princes, and convey an alarm throughout the whole commonwealth. To confiſcate a man's fortune, beſides its being a moſt atrocious act of violence, expoſes the monarch ſo much to the imputation of avarice and rapacity, that it will ſeldom be attempted in any civilized government. But confinement, though a leſs ſtriking, is no leſs ſevere a puniſhment; nor is there any ſpirit, ſo erect and independent, as not to be broken by the long continuance of the ſilent and inglorious ſufferings of a jail. The power of impriſonment, therefore, being the moſt natural and potent engine of arbitrary government, it is abſolutely neceſſary to remove it from a government which is free and legal.

The partiſans of the court reaſoned after a different manner. The true rule of government, ſaid they, during any period, is that to which the people, from time immemorial, have been accuſtomed, and to which they naturally pay a prompt obedience. A practice which has ever ſtruck their ſenſes, and of which they have ſeen and heard innumerable precedents, has an authority with them much ſuperior to that which attends maxims derived from antiquated ſtatutes and mouldy records. In vain do the lawyers eſtabliſh it as a principle, that a ſtatute can never be abrogated by oppoſite cuſtom; but requires to be expreſly repealed by a contrary ſtatute: While they pretend to inculcate an axiom, peculiar to Engliſh juriſprudence, they violate the moſt eſtabliſhed principles of human nature; and even, by neceſſary conſequence, reaſon in contradiction to law itſelf, which they would repreſent as ſo ſacred and inviolable. A law, to have any authority, muſt be derived from a legiſlature, which has right. And whence do all legiſlatures derive their right but from long cuſtom and eſtabliſhed practice? If a ſtatute contrary to public good has, at any time, been raſhly voted and aſſented to, either from the violence of faction, or the inexperience of ſenates and princes, it cannot be more effectually abrogated, than by a train of contrary precedents, which prove, that, by common conſent, it has tacitly been ſet aſide, as inconvenient and impracticable. Such has been the caſe with all thoſe ſtatutes enacted during turbulent times, in order to limit royal prerogative, and cramp the ſovereign in his protection of the public, and his execution of the laws. But above all branches of prerogative, that which is moſt neceſſary to be preſerved, is the power of impriſonment. Faction and diſcontent, like diſeaſes, frequently ariſe in every political body; and during theſe diſorders, it is by the ſalutary exerciſe alone of this diſcretionary power, that rebellions and civil wars can be prevented. To circumſcribe this power, is to deſtroy its nature: Entirely to abrogate it, is impracticable; and the attempt itſelf muſt prove dangerous, if not pernicious to the public.

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The ſupreme magiſtrate, in critical and turbulent times, will never, agreeably either to prudence or duty, allow the ſtate to periſh, while there remains a remedy, which, how irregular ſoever, it is ſtill in his power to apply. And if, moved by a regard to public good, he employs any exerciſe of power condemned by recent and expreſs ſtatute, how greedily, in ſuch dangerous times, will factious leaders ſeize this pretence of throwing on his government the imputation of tyranny and deſpotiſm? Were the alternative quite neceſſary, it were ſurely much better for human ſociety to be deprived of liberty than to be deſtitute of government.

Impartial reaſoners will confeſs, that this ſubject is not, on both ſides, without its difficulties. Where a general and rigid law is enacted againſt arbitrary impriſonment, it would appear, that government cannot, in times of ſedition and faction, be conducted but by temporary ſuſpenſions of the law; and ſuch an expedient was never thought of during the age of Charles. The meetings of parliament were too precarious, and their determinations might be too dilatory, to ſerve in caſes of urgent neceſſity. Nor was it then conceived, that the king did not poſſeſs of himſelf ſufficient power for the ſecurity and protection of his people, or that the authority of theſe popular aſſemblies was ever to become ſo abſolute, that the prince muſt always conform himſelf to it, and could never have any occaſion to guard againſt *their* practices, as well as againſt thoſe of his other ſubjects.

Though the houſe of lords was not inſenſible to the reaſons urged in favour of the pretenſions of the commons, they deemed the arguments pleaded in favour of the crown ſtill more cogent and convincing. That aſſembly ſeems, during this whole period, to have acted, in the main, a reaſonable and a moderate part; and if their bias inclined a little too much, as is natural, to the ſide of monarchy, they were far from entertaining any deſign of ſacrificing to arbitrary will the liberties and privileges of the nation. Aſhley, the king's ſerjeant, having aſſerted, in a pleading before the peers,

that the king muſt ſometimes govern by acts of ſtate as well as by law; this poſition gave ſuch offence, that he was immediately committed to priſon, and was not releaſed but upon his recantation and ſubmiſſion. Being, however, afraid leſt the commons ſhould go too far in their projected petition, the peers propoſed a plan of one more moderate, which they recommended to the conſideration of the other houſe. It conſiſted merely in a general declaration, that the great charter, and the ſix ſtatutes conceived to be explanations of it, ſtand ſtill in force, to all intents and purpoſes; that in conſequence of the charter and the ſtatutes, and by the tenour of the ancient cuſtoms and laws of the realm, every ſubject has a fundamental property in his goods, and a fundamental liberty of his perſon; that this property and liberty are as entire at preſent as during any former period of the Engliſh government; that in all common caſes, the common law ought to be the ſtandard of proceedings: "And in caſe, that, for the ſecurity of his majeſty's "perſon, the general ſafety of his people, or the peace-"able government of the kingdom, the king ſhall find "juſt cauſe, for reaſons of ſtate, to impriſon or reſtrain "any man's perſon; he was petitioned graciouſly to de-"clare, that, within a *convenient* time, he ſhall and "will expreſs the cauſe of the commitment or reſtraint, "either general or ſpecial, and upon a cauſe ſo expreſſed, "will leave the priſoner immediately to be tried accord-"ing to the common law of the land."

Archbiſhop Abbot was employed by the lords to recommend, in a conference, this plan of a petition to the houſe of commons. The prelate, as was, no doubt, foreſeen from his known principles, was not extremely urgent in his applications; and the lower houſe was fully convinced that the general declarations ſignified nothing, and that the latter clauſe left their liberties rather in a worſe condition than before. They proceeded, therefore, with great zeal, in framing the model of a petition, which ſhould contain expreſſions more preciſe, and more favourable to public freedom.

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The king could eaſily ſee the conſequence of theſe proceedings. Though he had offered, at the beginning of the ſeſſion, to give his conſent to any law for the ſecurity of the rights and liberties of the people; he had not expected that ſuch inroads would be made on his prerogative. In order, therefore, to divert the commons from their intention, he ſent a meſſage, wherein he acknowledged paſt errors, and promiſed that, hereafter, there ſhould be no juſt cauſe of complaint. And he added, "That the affairs of the kingdom preſs him "ſo, that he could not continue the ſeſſion above a "week or two longer: And if the houſe be not ready, "by that time, to do what is fit for themſelves, it ſhall "be their own fault." On a ſubſequent occaſion, he aſked them, "Why demand explanations, if you doubt "not the performance of the ſtatutes, according to their "true meaning? Explanations will hazard an encroachment upon the prerogative. And it may well be ſaid, "What need a new law to confirm an old, if you repoſe "confidence in the declarations which his majeſty made "to both houſes?" The truth is, the great charter and the old ſtatutes were ſufficiently clear in favour of perſonal liberty: But as all kings of England had ever, in caſes of neceſſity or expediency, been accuſtomed, at intervals, to elude them; and as Charles, in a complication of inſtances, had lately violated them; the commons judged it requiſite to enact a new law, which might not be eluded or violated, by any interpretation, conſtruction, or contrary precedent. Nor was it ſufficient, they thought, that the king promiſed to return into the way of his predeceſſors. His predeceſſors, in all times, had enjoyed too much diſcretionary power; and by his recent abuſe of it, the whole world had reaſon to ſee the neceſſity of entirely retrenching it.

The king ſtill perſevered in his endeavours to elude the petition. He ſent a letter to the houſe of lords, in which he went ſo far as to make a particular declaration, "That neither he nor his privy-council ſhall or will, at "any time hereafter, commit or command to priſon, or "otherwiſe reſtrain, any man for not lending money, or

" for any other cauſe, which in his conſcience he thought " not to concern the public good, and the ſafety of king " and people." And he farther declared, " That he " never would be guilty of ſo baſe an action as to pre- " tend any cauſe, of whoſe truth he was not fully ſatiſ- " fied." But this promiſe, though enforced to the commons by the recommendation of the upper houſe, made no more impreſſion than all the former meſſages.

Among the other evaſions of the king, we may reckon the propoſal of the houſe of peers, to ſubjoin, to the intended petition of right, the following clauſe: " We " humbly preſent this petition to your majeſty, not only " with a care of preſerving our own liberties, but with " due regard to leave entire that *ſovereign power*, with " which your majeſty is entruſted for the protection, " ſafety, and happineſs of your people." Leſs penetration than was poſſeſſed by the leaders of the houſe of commons, could eaſily diſcover how captious this clauſe was, and how much it was calculated to elude the whole force of the petition.

Theſe obſtacles, therefore, being ſurmounted, the petition of right paſſed the commons, and was ſent to the upper houſe*. The peers, who were probably well pleaſed in ſecret that all their ſolicitations had been eluded by the commons, quickly paſſed the petition without any material alteration; and nothing but the royal aſſent was wanting to give it the force of a law. The king accordingly came to the houſe of peers; ſent for the commons; and, being ſeated in his chair of ſtate, the petition was read to him. Great was now the aſtoniſhment of all men, when, inſtead of the uſual conciſe and clear form, by which a bill is either confirmed or rejected, Charles ſaid, in anſwer to the petition, " The " king willeth, that right be done according to the laws " and cuſtoms of the realm, and that the ſtatutes be put " into execution; that his ſubjects may have no cauſe " to complain of any wrong or oppreſſion, contrary to " their juſt rights and liberties, to the preſervation

* See note [CC] at the end of the volume.

" whereof

" whereof he holds himſelf in conſcience as much obliged " as of his own prerogative."

It is ſurpriſing that Charles, who had ſeen ſo many inſtances of the jealouſy of the commons, who had himſelf ſo much rouſed that jealouſy by his frequent evaſive meſſages during this ſeſſion, could imagine that they would reſt ſatisfied with an anſwer ſo vague and undeterminate. It was evident, that the unuſual form alone of the anſwer muſt excite their attention; that the diſappointment muſt inflame their anger; and that therefore it was neceſſary, as the petition ſeemed to bear hard on royal prerogative, to come early to ſome fixed reſolution, either gracefully to comply with it, or courageouſly to reject it.

It happened as might have been foreſeen. The commons returned in very ill humour. Uſually, when in that diſpoſition, their zeal for religion, and their enmity againſt the unfortunate catholics, ran extremely high. But they had already, in the beginning of the ſeſſion, preſented their petition of religion, and had received a ſatisfactory anſwer; though they expected that the execution of the laws againſt papiſts would, for the future, be no more exact and rigid, than they had hitherto found it. To give vent to their preſent indignation, they fell with their utmoſt force on Dr. Manwaring.

There is nothing which tends more to excuſe, if not to juſtify, the extreme rigour of the commons towards Charles, than his open encouragement and avowal of ſuch general principles as were altogether incompatible with a limited government. Manwaring had preached a ſermon, which the commons found, upon inquiry, to be printed by ſpecial command of the king; and, when this ſermon was looked into, it contained doctrines ſubverſive of all civil liberty. It taught, that, though property was commonly lodged in the ſubject, yet, whenever any exigency required ſupply, all property was transferred to the ſovereign; that the conſent of parliament was not neceſſary for the impoſition of taxes; and that the divine laws required compliance with every demand, how irregular ſoever, which the prince ſhould

make upon his ſubjects. For theſe doctrines the commons impeached Manwaring. The ſentence, pronounced upon him by the peers, was, that he ſhould be impriſoned during the pleaſure of the houſe, be fined a thouſand pounds to the king, make ſubmiſſion and acknowledgment of his offence, be ſuſpended during three years, be incapable of holding any eccleſiaſtical dignity or ſecular office, and that his book be called in and burnt.

It may be worthy of notice, that no ſooner was the ſeſſion ended, than this man, ſo juſtly obnoxious to both houſes, received a pardon, and was promoted to a living of conſiderable value. Some years after, he was raiſed to the ſee of St. Aſaph. If the republican ſpirit of the commons increaſed, beyond all reaſonable bounds, the monarchical ſpirit of the court; this latter, carried to ſo high a pitch, tended ſtill farther to augment the former. And thus extremes were every-where affected, and the juſt medium was gradually deſerted by all men.

From Manwaring, the houſe of commons proceeded to cenſure the conduct of Buckingham, whoſe name hitherto they had cautiouſly forborn to mention. In vain did the king ſend them a meſſage, in which he told them, that the ſeſſion was drawing near to a concluſion; and deſired, that they would not enter upon new buſineſs, nor caſt any aſperſions on his government and miniſtry. Though the court endeavoured to explain and ſoften this meſſage by a ſubſequent meſſage; as Charles was apt haſtily to correct any haſty ſtep which he had taken; it ſerved rather to inflame than appeaſe the commons: As if the method of their proceedings had here been preſcribed to them. It was foreſeen, that a great tempeſt was ready to burſt on the duke; and in order to divert it, the king thought proper, upon a joint application of the lords and commons, to endeavour giving them ſatisfaction with regard to the petition of right. He came therefore to the houſe of peers, and pronouncing the uſual form of words, *Let it be law as is deſired*, gave full ſanction and authority to the petition. The acclamations with which the houſe reſounded, and the univerſal joy

joy diffuſed over the nation, ſhowed how much this petition had been the object of all men's vows and expectations.

It may be affirmed, without any exaggeration, that the king's aſſent to the petition of right produced ſuch a change in the government, as was almoſt equivalent to a revolution; and by circumſcribing, in ſo many articles, the royal prerogative, gave additional ſecurity to the liberties of the ſubject. Yet were the commons far from being ſatisfied with this important conceſſion. Their ill humour had been ſo much irritated by the king's frequent evaſions and delays, that it could not be preſently appeaſed by an aſſent, which he allowed to be ſo reluctantly extorted from him. Perhaps too, the popular leaders, implacable and artful, ſaw the opportunity favourable; and turning againſt the king thoſe very weapons with which he had furniſhed them, reſolved to purſue the victory. The bill, however, for five ſubſidies, which had been formerly voted, immediately paſſed the houſe, becauſe the granting of that ſupply was, in a manner, tacitly contracted for, upon the royal aſſent to the petition; and had faith been here violated, no farther confidence could have ſubſiſted between king and parliament. Having made this conceſſion, the commons continued to carry their ſcrutiny into every part of government. In ſome particulars their induſtry was laudable; in ſome it may be liable to cenſure.

A little after writs were iſſued for ſummoning this parliament, a commiſſion had been granted to ſir Thomas Coventry, lord-keeper, the earl of Marlborough, treaſurer, the earl of Mancheſter, preſident of the council, the earl of Worceſter, privy-ſeal, the duke of Buckingham, high-admiral, and all the conſiderable officers of the crown; in the whole, thirty-three. By this commiſſion, which, from the number of perſons named in it, could be no ſecret, the commiſſioners were empowered to meet and to concert among themſelves the methods of levying money by impoſitions, or otherwiſe; *Where form and circumſtance*, as expreſſed in the commiſſion, *muſt be diſpenſed with, rather than the ſubſtance be loſt or hazarded.*

zarded. In other words, this was a ſcheme for finding expedients, which might raiſe the prerogative to the greateſt height, and render parliaments entirely uſeleſs. The commons applied for cancelling the commiſſion; and were, no doubt, deſirous that all the world ſhould conclude the king's principles to be extremely arbitrary, and ſhould obſerve what little regard he was diſpoſed to pay to the liberties and privileges of his people.

A commiſſion had likewiſe been granted, and ſome money remitted, in order to raiſe a thouſand German horſe, and tranſport them into England. Theſe were ſuppoſed to be levied, in order to ſupport the projected impoſitions or exciſes; though the number ſeems inſufficient for ſuch a purpoſe. The houſe took notice of this deſign in ſevere terms: And no meaſure, ſurely, could be projected more generally odious to the whole nation. It muſt, however, be confeſſed, that the king was ſo far right, that he had now at laſt fallen on the only effectual method for ſupporting his prerogative. But at the ſame time he ſhould have been ſenſible that, till provided with a ſufficient military force, all his attempts, in oppoſition to the riſing ſpirit of the nation, muſt, in the end, prove wholly fruitleſs; and that the higher he ſcrewed up the ſprings of government, while he had ſo little real power to retain them in that forced ſituation, with more fatal violence muſt they fly out, when any accident occurred to reſtore them to their natural action.

The commons next reſumed their cenſure of Buckingham's conduct and behaviour, againſt whom they were implacable. They agreed to preſent a remonſtrance to the king, in which they recapitulated all national grievances and misfortunes, and omitted no circumſtance which could render the whole adminiſtration deſpicable and odious. The compoſitions with catholics, they ſaid, amounted to no leſs than a toleration, hateful to God, full of diſhonour and diſprofit to his majeſty, and of extreme ſcandal and grief to his good people: They took notice of the violations of liberty above mentioned, againſt which the petition of right ſeems to have provided a ſufficient remedy: They mentioned the decay of trade, the unſuc-

unſucceſsful expeditions to Cadiz and the iſle of Rhé, the encouragement given to Arminians, the commiſſion for tranſporting German horſe, that for levying illegal impoſitions; and all theſe grievances they aſcribed ſolely to the ill-conduct of the duke of Buckingham. This remonſtrance was, perhaps, not the leſs provoking to Charles, becauſe, joined to the extreme acrimony of the ſubject, there were preſerved in it, as in moſt of the remonſtrances of that age, an affected civility and ſubmiſſion in the language. And as it was the firſt return which he met with for his late beneficial conceſſions, and for his ſacrifices of prerogative, the greateſt by far ever made by an Engliſh ſovereign, nothing could be more the object of juſt and natural indignation.

It was not without good grounds that the commons were ſo fierce and aſſuming. Though they had already granted the king the ſupply of five ſubſidies, they ſtill retained a pledge in their hands, which they thought enſured them ſucceſs in all their applications. Tonnage and poundage had not yet been granted by parliament; and the commons had artfully, this ſeſſion, concealed their intention of invading that branch of revenue, till the royal aſſent had been obtained to the petition of right, which they juſtly deemed of ſuch importance. They then openly aſſerted, that the levying of tonnage and poundage without conſent of parliament, was a palpable violation of the ancient liberties of the people, and an open infringement of the petition of right, ſo lately granted. The king, in order to prevent the finiſhing and preſenting of this remonſtrance, came ſuddenly to the parliament, and ended this ſeſſion by a prorogation *.

Being freed for ſome time from the embarraſſment of this aſſembly, Charles began to look towards foreign wars, where all his efforts were equally unſucceſsful, as in his domeſtic government. The earl of Denbigh, brother-in-law to Buckingham, was deſpatched to the relief of Rochelle, now cloſely beſieged by land, and threatened with a blockade by ſea: But he returned without

* 26th June.

effect-

effecting any thing; and having declined to attack the enemy's fleet, he brought on the Engliſh arms the imputation either of cowardice or ill-conduct. In order to repair this diſhonour, the duke went to Portſmouth, where he had prepared a conſiderable fleet and army, on which all the ſubſidies given by parliament had been expended. This ſupply had very much diſappointed the king's expectations. The ſame mutinous ſpirit which prevailed in the houſe of commons, had diffuſed itſelf over the nation; and the commiſſioners appointed for making the aſſeſſments, had connived at all frauds, which might diminiſh the ſupply, and reduce the crown to ſtill greater neceſſities. This national diſcontent, communicated to a deſperate enthuſiaſt, ſoon broke out in an event, which may be conſidered as remarkable.

There was one Felton, of a good family, but of an ardent, melancholic temper, who had ſerved under the duke in the ſtation of lieutenant. His captain being killed in the retreat at the iſle of Rhé, Felton had applied for the company; and when diſappointed, he threw up his commiſſion, and retired in diſcontent from the army. While private reſentment was boiling in his ſullen, unſociable mind, he heard the nation reſound with complaints againſt the duke; and he met with the remonſtrance of the commons, in which his enemy was repreſented as the cauſe of every national grievance, and as the great enemy of the public. Religious fanaticiſm farther inflamed theſe vindictive reflections; and he fancied that he ſhould do heaven acceptable ſervice, if, at one blow, he deſpatched this dangerous foe to religion and to his country. Full of theſe dark views he ſecretly arrived at Portſmouth at the ſame time with the duke, and watched for an opportunity of effecting his bloody purpoſe.

(23d Aug.) Buckingham had been engaged in converſation with Soubize and other French gentlemen; and a difference of ſentiment having ariſen, the diſpute, though conducted with temper and decency, had produced ſome of thoſe vehement geſticulations and lively exertions of voice, in which that nation, more than the Engliſh, are apt to indulge themſelves. The converſation being

finiſhed, the duke drew towards the door; and in that paſſage, turning himſelf to ſpeak to ſir Thomas Fryar, a colonel in the army, he was, on the ſudden, over ſir Thomas's ſhoulder, ſtruck upon the breaſt with a knife. Without uttering other words than *The villain has killed me*; in the ſame moment pulling out the knife, he breathed his laſt.

No man had ſeen the blow, nor the perſon who gave it; but in the confuſion, every one made his own conjecture; and all agreed that the murder had been committed by the French gentlemen, whoſe angry tone of voice had been heard, while their words had not been underſtood by the byſtanders. In the hurry of revenge, they had inſtantly been put to death, had they not been ſaved by ſome of more temper and judgment, who, though they had the ſame opinion of their guilt, thought proper to reſerve them for a judicial trial and examination.

Near the door there was found a hat, in the inſide of which was ſewed a paper, containing four or five lines of that remonſtrance of the commons, which declared Buckingham an enemy to the kingdom; and under theſe lines was a ſhort ejaculation, or attempt towards a prayer. It was eaſily concluded that this hat belonged to the aſſaſſin: But the difficulty ſtill remained, *Who that perſon ſhould be?* For the writing diſcovered not the name; and whoever he was, it was natural to believe that he had already fled far enough not to be found without a hat.

In this hurry, a man without a hat was ſeen walking very compoſedly before the door. One crying out, *Here is the fellow who killed the duke*; every body ran to aſk, *Which is he?* The man very ſedately anſwered, *I am he.* The more furious immediately ruſhed upon him with drawn ſwords: Others, more deliberate, defended and protected him: He himſelf, with open arms, calmly and cheerfully expoſed his breaſt to the ſwords of the moſt enraged; being willing to fall a ſudden ſacrifice to their anger, rather than be reſerved for that public juſtice, which, he knew, muſt be executed upon him.

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He was now known to be that Felton who had ſerved in the army. Being carried into a private room, it was thought proper ſo far to diſſemble as to tell him, that Buckingham was only grievouſly wounded, but not without hopes of recovery. Felton ſmiled, and told them, that the duke, he knew full well, had received a blow which had terminated all their hopes. When aſked, at whoſe inſtigation he had performed that horrid deed? he replied, that they needed not to trouble themſelves in that inquiry; that no man living had credit enough with him to have diſpoſed him to ſuch an action; that he had not even entruſted his purpoſe to any one; that the reſolution proceeded only from himſelf, and the impulſe of his own conſcience; and that his motives would appear, if his hat were found: For that, believing he ſhould periſh in the attempt, he had there taken care to explain them.

When the king was informed of this aſſaſſination, he received the news in public with an unmoved and undiſturbed countenance; and the courtiers, who ſtudied his looks, concluded, that ſecretly he was not diſpleaſed to be rid of a miniſter ſo generally odious to the nation. But Charles's command of himſelf proceeded entirely from the gravity and compoſure of his temper. He was ſtill, as much as ever, attached to his favourite; and, during his whole life, he retained an affection for Buckingham's friends, and a prejudice againſt his enemies. He urged too, that Felton ſhould be put to the queſtion, in order to extort from him a diſcovery of his accomplices: But the judges declared, that though that practice had formerly been very uſual, it was altogether illegal. So much more exact reaſoners, with regard to law, had they become, from the jealous ſcruples of the houſe of commons.

Meanwhile the diſtreſs of Rochelle had riſen to the utmoſt extremity. That vaſt genius of Richelieu, which made him form the greateſt enterpriſes, led him to attempt their execution by means equally great and extraordinary. In order to deprive Rochelle of all ſuccour, he had dared to project the throwing acroſs the harbour a

mole

mole of a mile's extent in that boiſterous ocean; and having executed his project, he now held the town cloſely blockaded on all ſides. The inhabitants, though preſſed with the greateſt rigours of famine, ſtill refuſed to ſubmit; being ſupported, partly by the lectures of their zealous preachers, partly by the daily hopes of relief from England. After Buckingham's death, the command of the fleet and army was conferred on the earl of Lindeſey; who, arriving before Rochelle, made ſome attempts to break through the mole, and force his way into the harbour: But by the delays of the Engliſh, that work was now fully finiſhed and fortified; and the Rochellers, finding their laſt hopes to fail them, were reduced to ſurrender at diſcretion (18th Oct.), even in ſight of the Engliſh admiral. Of fifteen thouſand perſons ſhut up in the city, four thouſand alone ſurvived the fatigues and famine which they had undergone.

This was the firſt neceſſary ſtep towards the proſperity of France. Foreign enemies, as well as domeſtic factions, being deprived of this reſource, that kingdom began now to ſhine forth in its full ſplendour. By a ſteady proſecution of wiſe plans both of war and policy, it gradually gained an aſcendant over the rival power of Spain; and every order of the ſtate, and every ſect, were reduced to pay ſubmiſſion to the lawful authority of the ſovereign. The victory, however, over the hugonots, was at firſt puſhed by the French king with great moderation. A toleration was ſtill continued to them; the only avowed and open toleration which, at that time, was granted in any European kingdom.

(1629.) The failure of an enterpriſe, in which the Engliſh nation, from religious ſympathy, ſo much intereſted themſelves, could not but diminiſh the king's authority in the parliament during the approaching ſeſſion: But the commons, when aſſembled (20th Jan.), found many other cauſes of complaint. Buckingham's conduct and character with ſome had afforded a reaſon, with others a pretence, for diſcontent againſt public meaſures: But after his death, there wanted not new reaſons and new pretences for general diſſatisfaction. Manwaring's

pardon and promotion were taken notice of: Sibthorpe and Cosins, two clergymen, who, for like reasons, were no less obnoxious to the commons, had met with like favour from the king: Montague, who had been censured for moderation towards the catholics, the greatest of crimes, had been created bishop of Chichester: They found, likewise, upon inquiry, that all the copies of the petition of right, which were dispersed, had, by the king's orders, annexed to them the first answer, which had given so little satisfaction to the commons: An expedient by which Charles endeavoured to persuade the people that he had nowise receded from his former claims and pretensions, particularly with regard to the levying of tonnage and poundage. Selden also complained in the house, that one Savage, contrary to the petition of right, had been punished with the loss of his ears, by a discretionary or arbitrary sentence of the star-chamber. So apt were they, on their part, to stretch the petition into such consequences as might deprive the crown of powers which, from immemorial custom, were supposed inherent in it.

But the great article on which the house of commons broke with the king, and which finally created in Charles a disgust to all parliaments, was their claim with regard to tonnage and poundage. On this occasion, therefore, it is necessary to give an account of the controversy.

The duty of tonnage and poundage, in more ancient times, had been commonly a temporary grant of parliament; but it had been conferred on Henry V. and all the succeeding princes, during life, in order to enable them to maintain a naval force for the defence of the kingdom. The necessity of levying this duty had been so apparent, that each king had ever claimed it from the moment of his accession; and the first parliament of each reign had usually, by vote, conferred on the prince what they found him already in possession of. Agreeably to the inaccurate genius of the old constitution, this abuse, however considerable, had never been perceived nor remedied; though nothing could have been easier than for the

the parliament to have prevented it. By granting this duty to each prince, during his own life, and, for a year after his demiſe, to the ſucceſſor, all inconveniences had been obviated; and yet the duty had never for a moment been levied without proper authority. But contrivances of that nature were not thought of during thoſe rude ages: And as ſo complicated and jealous a government as the Engliſh cannot ſubſiſt without many ſuch refinements; it is eaſy to ſee how favourable every inaccuracy muſt formerly have proved to royal authority, which on all emergencies was obliged to ſupply, by diſcretionary power, the great deficiency of the laws.

The parliament did not grant the duty of tonnage and poundage to Henry VIII. till the ſixth of his reign: Yet this prince, who had not then raiſed his power to its greateſt height, continued, during that whole time, to levy the impoſition: The parliament, in their very grant, blame the merchants who had neglected to make payment to the crown; and though one expreſſion of that bill may ſeem ambiguous, they employ the plaineſt terms in calling tonnage and poundage the king's due, even before that duty was conferred on him by parliamentary authority. Four reigns, and above a whole century, had ſince elapſed; and this revenue had ſtill been levied before it was voted by parliament. So long had the inaccuracy continued, without being remarked or corrected.

During that ſhort interval which paſſed between Charles's acceſſion and his firſt parliament, he had followed the example of his predeceſſors; and no fault was found with his conduct in this particular. But what was moſt remarkable in the proceedings of that houſe of commons, and what proved beyond controverſy that they had ſeriouſly formed a plan for reducing their prince to ſubjection, was, that inſtead of granting this ſupply during the king's lifetime, as it had been enjoyed by all his immediate predeceſſors, they voted it only for a year; and, after that ſhould be elapſed, reſerved to themſelves the power of renewing or refuſing the ſame conceſſion. But the houſe of peers, who ſaw that this duty was now become more neceſſary than ever to ſupply the growing ne-

ceſſities of the crown, and who did not approve of this encroaching ſpirit in the commons, rejected the bill; and the diſſolution of that parliament followed ſo ſoon after, that no attempt ſeems to have been made for obtaining tonnage and poundage in any other form *.

Charles, meanwhile, continued ſtill to levy this duty by his own authority; and the nation was ſo accuſtomed to that exertion of royal power, that no ſcruple was at firſt entertained of ſubmitting to it. But the ſucceeding parliament excited doubts in every one. The commons took there ſome ſteps towards declaring it illegal to levy tonnage and poundage without conſent of parliament; and they openly ſhowed their intention of employing this engine, in order to extort from the crown conceſſions of the moſt important nature. But Charles was not yet ſufficiently tamed to compliance; and the abrupt diſſolution of that parliament, as above related, put an end, for the time, to their farther pretenſions.

The following interval between the ſecond and third parliament, was diſtinguiſhed by ſo many exertions of prerogative, that men had little leiſure to attend to the affair of tonnage and poundage, where the abuſe of power in the crown might ſeem to be of a more diſputable nature. But after the commons, during the precedent ſeſſion, had remedied all theſe grievances by means of their petition of right, which they deemed ſo neceſſary; they afterwards proceeded to take the matter into conſideration, and they ſhowed the ſame intention as formerly, of exacting, in return for the grant of this revenue, very large compliances on the part of the crown. Their ſudden prorogation prevented them from bringing their pretenſions to a full concluſion.

When Charles opened this ſeſſion, he had foreſeen, that the ſame controverſy would ariſe; and he therefore took care, very early, among many mild and reconciling expreſſions, to inform the commons, "That he had not "taken theſe duties as appertaining to his hereditary "prerogative; but that it ever was, and ſtill is, his

* See note [DD] at the end of the volume.

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"meaning to enjoy them as a gift of his people: And "that, if he had hitherto levied tonnage and poundage, "he pretended to juſtify himſelf only by the neceſſity of "ſo doing, not by any right which he aſſumed." This conceſſion, which probably aroſe from the king's moderate temper, now freed from the impulſe of Buckingham's violent counſels, might have ſatisfied the commons, had they entertained no other view than that of aſcertaining their own powers and privileges. But they carried their pretenſions much higher. They inſiſted, as a neceſſary preliminary, that the king ſhould once entirely deſiſt from levying theſe duties; after which, they were to take it into conſideration, how far they would reſtore him to the poſſeſſion of a revenue, of which he had clearly diveſted himſelf. But, beſides that this extreme rigour had never been exerciſed towards any of his predeceſſors, and many obvious inconveniencies muſt follow from the intermiſſion of the cuſtoms; there were other reaſons which deterred Charles from complying with ſo hard a condition. It was probable that the commons might renew their former project of making this revenue only temporary, and thereby reducing their prince to perpetual dependance; they certainly would cut off the new impoſitions which Mary and Elizabeth, but eſpecially James, had levied, and which formed no deſpicable part of the public revenue; and they openly declared, that they had at preſent many important pretenſions, chiefly with regard to religion; and if compliance were refuſed, no ſupply muſt be expected from the commons.

It is eaſy to ſee in what an inextricable labyrinth Charles was now involved. By his own conceſſions, by the general principles of the Engliſh government, and by the form of every bill which had granted this duty, tonnage and poundage was derived entirely from the free gift of the people; and, conſequently, might be withdrawn at their pleaſure. If unreaſonable in their refuſal, they ſtill refuſed nothing but what was their own. If public neceſſity required this ſupply, it might be thought alſo to require the king's compliance with thoſe condi-

tions which were the price of obtaining it. Though the motive for granting it had been the enabling of the king to guard the ſeas; it did not follow, that becauſe he guarded the ſeas, he was therefore entitled to this revenue, without farther formality: Since the people had ſtill reſerved to themſelves the right of judging how far that ſervice merited ſuch a ſupply. But Charles, notwithſtanding his public declaration, was far from aſſenting to this concluſion in its full extent. The plain conſequence, he ſaw, of all theſe rigours, and refinements, and inferences, was, that he, without any public neceſſity, and without any fault of his own, muſt, of a ſudden, even from his acceſſion, become a magiſtrate of a very different nature from any of his predeceſſors, and muſt fall into a total dependance on ſubjects over whom former kings, eſpecially thoſe immediately preceding, had exerciſed an authority almoſt unlimited. Entangled in a chain of conſequences which he could not eaſily break, he was inclined to go higher, and rather deny the firſt principle, than admit of concluſions which to him appeared ſo abſurd and unreaſonable. Agreeably to the ideas hitherto entertained both by natives and foreigners, the monarch he eſteemed the eſſence and ſoul of the Engliſh government; and whatever other power pretended to annihilate, or even abridge, the royal authority, muſt neceſſarily, he thought, either in its nature or exerciſe, be deemed no better than an uſurpation. Willing to preſerve the ancient harmony of the conſtitution, he had ever intended to comply, as far as he *eaſily* could, with the ancient forms of adminiſtration: But when theſe forms appeared to him, by the inveterate obſtinacy of the commons, to have no other tendency than to diſturb that harmony, and to introduce a new conſtitution; he concluded, that in this violent ſituation, what was ſubordinate muſt neceſſarily yield to what was principal, and the privileges of the people, for a time, give place to royal prerogative. From the rank of a monarch, to be degraded into a ſlave of his inſolent, ungrateful ſubjects, ſeemed, of all indignities, the greateſt; and nothing, in his judgment, could exceed the humiliation attend-

attending ſuch a ſtate, but the meanneſs of tamely ſubmitting to it, without making ſome efforts to preſerve the authority tranſmitted to him by his predeceſſors.

Though theſe were the king's reflections and reſolutions before the parliament aſſembled, he did not immediately break with them, upon their delay in voting him this ſupply. He thought that he could better juſtify any ſtrong meaſure which he might afterwards be obliged to take, if he allowed them to carry to the utmoſt extremities their attacks upon his government and prerogative. He contented himſelf, for the preſent, with ſoliciting the houſe by meſſages and ſpeeches. But the commons, inſtead of hearkening to his ſolicitations, proceeded to carry their ſcrutiny into his management of religion, which was the only grievance to which, in their opinion, they had not as yet, by their petition of right, applied a ſufficient remedy.

It was not poſſible that this century, ſo fertile in religious ſects and diſputes, could eſcape the controverſy concerning fataliſm and free-will, which, being ſtrongly interwoven both with philoſophy and theology, had, in all ages, thrown every ſchool and every church into ſuch inextricable doubt and perplexity. The firſt reformers in England, as in other European countries, had embraced the moſt rigid tenets of predeſtination and abſolute decrees, and had compoſed, upon that ſyſtem, all the articles of their religious creed. But theſe principles having met with oppoſition from Arminius and his ſectaries, the controverſy was ſoon brought into this iſland, and began here to diffuſe itſelf. The Arminians, finding more encouragement from the ſuperſtitious ſpirit of the church than from the fanataciſm of the puritans, gradually incorporated themſelves with the former; and ſome of that ſect, by the indulgence of James and Charles, had attained the higheſt preferments in the hierarchy. But their ſucceſs with the public had not been altogether anſwerable to that which they met with in the church and the court. Throughout the nation, they ſtill lay under the reproach of innovation and hereſy. The commons now levelled againſt them their formidable cenſures, and made them

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the objects of daily invective and declamation. Their protectors were ſtigmatiſed; their tenets canvaſſed; their views repreſented as dangerous and pernicious. To impartial ſpectators ſurely, if any ſuch had been at that time in England, it muſt have given great entertainment, to ſee a popular aſſembly, inflamed with faction and enthuſiaſm, pretend to diſcuſs queſtions to which the greateſt philoſophers, in the tranquillity of retreat, had never hitherto been able to find any ſatisfactory ſolution.

Amidſt that complication of diſputes in which men were then involved, we may obſerve, that the appellation *puritan* ſtood for three parties, which, though commonly united, were yet actuated by very different views and motives. There were the political puritans, who maintained the higheſt principles of civil liberty; the puritans in diſcipline, who were averſe to the ceremonies and epiſcopal government of the church; and the doctrinal puritans, who rigidly defended the ſpeculative ſyſtem of the firſt reformers. In oppoſition to all theſe, ſtood the court party, the hierarchy, and the Arminians; only with this diſtinction, that the latter ſect, being introduced a few years before, did not, as yet, comprehend all thoſe who were favourable to the church and to monarchy. But, as the controverſies on every ſubject grew daily warmer, men united themſelves more intimately with their friends, and ſeparated themſelves wider from their antagoniſts; and the diſtinction gradually became quite uniform and regular.

This houſe of commons, which, like all the preceding during the reigns of James and Charles, and even of Elizabeth, was much governed by the puritanical party, thought that they could not better ſerve their cauſe than by branding and puniſhing the Arminian ſect, which, introducing an innovation in the church, were the leaſt favoured and leaſt powerful of all their antagoniſts. From this meaſure it was eaſily foreſeen, that, beſides gratifying the animoſity of the doctrinal puritans, both the puritans in diſcipline, and thoſe in politics, would reap conſiderable advantages. Laud, Neile, Montague, and other biſhops, who were the chief ſupporters of epiſcopal go-

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vernment, and the moſt zealous partiſans of the diſcipline and ceremonies of the church, were all ſuppoſed to be tainted with Arminianiſm. The ſame men and their diſciples were the ſtrenuous preachers of paſſive obedience, and of entire ſubmiſſion to princes; and if theſe could once be cenſured, and be expelled the church and court, it was concluded, that the hierarchy would receive a mortal blow, the ceremonies be leſs rigidly inſiſted on, and the king, deprived of his moſt faithful friends, be obliged to abate thoſe high claims of prerogative, on which at preſent he inſiſted.

But Charles, beſides a view of the political conſequences which muſt reſult from a compliance with ſuch pretenſions, was ſtrongly determined, from principles of piety and conſcience, to oppoſe them. Neither the diſſipation incident to youth, nor the pleaſures attending a high fortune, had been able to prevent this virtuous prince from embracing the moſt ſincere ſentiments of religion; and that character which, in that religious age, ſhould have been of infinite advantage to him, proved in the end the chief cauſe of his ruin: Merely becauſe the religion adopted by him was not of that preciſe mode and ſect which *began* to prevail among his ſubjects. His piety, though remote from popery, had a tincture of ſuperſtition in it; and, being averſe to the gloomy ſpirit of the puritans, was repreſented by them as tending towards the abominations of antichriſt. Laud alſo had unfortunately acquired a great aſcendant over him: And as all thoſe prelates, obnoxious to the commons, were regarded as his chief friends and moſt favourite courtiers, he was reſolved not to diſarm and diſhonour himſelf, by abandoning them to the reſentment of his enemies. Being totally unprovided with military force, and finding a refractory independent ſpirit to prevail among the people; the moſt ſolid baſis of his authority, he thought, conſiſted in the ſupport which he received from the hierarchy.

In the debates of the commons, which are tranſmitted to us, it is eaſy to diſcern ſo early ſome ſparks of that enthuſiaſtic fire, which afterwards ſet the whole nation in

in combuſtion. One Rouſe made uſe of an alluſion, which, though familiar, ſeems to have been borrowed from the writings of lord Bacon. "If a man meet a "dog alone," ſaid he, "the dog is fearful, though "ever ſo fierce by nature: But if the dog have his "maſter with him, he will ſet upon that man from whom "he fled before. This ſhows, that lower natures, "being backed by higher, increaſe in courage and "ſtrength; and certainly man, being backed with "Omnipotency, is a kind of omnipotent creature. All "things are poſſible to him that believes; and where "all things are poſſible, there is a kind of omnipo-"tency. Wherefore, let it be the unanimous conſent "and reſolution of us all to make a vow and covenant "henceforth to hold faſt our God and our religion; "and then ſhall we henceforth expect, with certainty, "happineſs in this world."

Oliver Cromwell, at that time a young man of no account in the nation, is mentioned in theſe debates, as complaining of one who, he was told, preached flat popery. It is amuſing to obſerve the firſt words of this fanatical hypocrite correſpond ſo exactly to his character.

The inquiries and debates concerning tonnage and poundage went hand in hand with theſe theological or metaphyſical controverſies. The officers of the cuſtom-houſe were ſummoned before the commons, to give an account by what authority they had ſeized the goods of merchants who had refuſed to pay theſe duties: The barons of the exchequer were queſtioned concerning their decrees on that head. One of the ſheriffs of London was committed to the Tower for his activity in ſupporting the officers of the cuſtom-houſe: The goods of Rolles, a merchant, and member of the houſe, being ſeized for his refuſal to pay the duties, complaints were made of this violence, as if it were a breach of privilege: Charles ſupported his officers in all theſe meaſures; and the quarrel grew every day higher between him and the commons. Mention was made in the houſe of impeaching ſir Richard Weſton, the treaſurer; and the king began

began to entertain thoughts of finiſhing the ſeſſion by a diſſolution.

Sir John Elliot framed a remonſtrance againſt levying tonnage and poundage without conſent of parliament, and offered it to the clerk to read. It was refuſed. He read it himſelf. The queſtion being then called for, the ſpeaker, ſir John Finch, ſaid, *That he had a command from the king to adjourn, and to put no queſtion**. Upon which he roſe and left the chair. The whole houſe was in an uproar. The ſpeaker was puſhed back into the chair, and forcibly held in it by Hollis and Valentine; till a ſhort remonſtrance was framed, and was paſſed by acclamation rather than by vote. Papiſts and Arminians were there declared capital enemies to the commonwealth. Thoſe who levied tonnage and poundage were branded with the ſame epithet. And even the merchants who ſhould voluntarily pay theſe duties, were denominated betrayers of Engliſh liberty, and public enemies. The doors being locked, the gentleman uſher of the houſe of lords, who was ſent by the king, could not get admittance till this remonſtrance was finiſhed. By the king's order, he took the mace from the table, which ended their proceedings. And in a few days after (March 10) the parliament was diſſolved.

The diſcontents of the nation ran high, on account of this violent rupture between the king and parliament. Theſe diſcontents Charles inflamed by his affectation of a ſeverity which he had not power, nor probably inclination, to carry to extremities. Sir Miles Hobart, ſir Peter Heyman, Selden, Coriton, Long, Strode, were committed to priſon, on account of the laſt tumult in the houſe, which was called ſedition. With great difficulty,

* The king's power of adjourning, as well as proroguing the parliament, was and is never queſtioned. In the 19th of the late king, the judges determined that the adjournment by the king kept the parliament *in ſtatu quo* until the next ſitting; but that then no committees were to meet: But if the adjournment be by the houſe, then the committees and other matters do continue. Parl. Hiſt. vol. v. p. 466.

and

and after ſeveral delays, they were releaſed; and the law was generally ſuppoſed to be wreſted, in order to prolong their impriſonment. Sir John Elliot, Hollis, and Valentine, were ſummoned to their trial in the king's bench, for ſeditious ſpeeches and behaviour in parliament; but refuſing to anſwer before an inferior court for their conduct as members of a ſuperior, they were condemned to be impriſoned during the king's pleaſure, to find ſureties for their good behaviour, and to be fined the two former a thouſand pounds a-piece, the latter five hundred. This ſentence, procured by the influence of the crown, ſerved only to ſhow the king's diſregard to the privileges of parliament, and to acquire an immenſe ſtock of popularity to the ſufferers, who had ſo bravely, in oppoſition to arbitrary power, defended the liberties of their native country. The commons of England, though an immenſe body, and poſſeſſed of the greater part of national property, were naturally ſomewhat defenceleſs; becauſe of their perſonal equality, and their want of leaders: But the king's ſeverity, if theſe proſecutions deſerve the name, here pointed out leaders to them whoſe reſentment was inflamed, and whoſe courage was nowiſe daunted by the hardſhips which they had undergone in ſo honourable a cauſe.

So much did theſe priſoners glory in their ſufferings, that, though they were promiſed liberty on that condition, they would not condeſcend even to preſent a petition to the king, expreſſing their ſorrow for having offended him. They unanimouſly refuſed to find ſureties for their good behaviour; and diſdained to accept of deliverance on ſuch eaſy terms. Nay, Hollis was ſo induſtrious to continue his meritorious diſtreſs, that, when one offered to bail him, he would not yield to the rule of court, and be himſelf bound with his friend. Even Long, who had actually found ſureties in the chief juſtice's chamber, declared in court, that his ſureties ſhould no longer continue. Yet becauſe ſir John Elliot happened to die while in cuſtody, a great clamour was raiſed againſt the adminiſtration; and he was univerſally regarded as a martyr to the liberties of England.

NOTES

TO THE

SEVENTH VOLUME.

NOTE [A], p. 24.

MOST of queen Elizabeth's courtiers feigned love and deſire towards her, and addreſſed themſelves to her in the ſtyle of paſſion and gallantry. Sir Walter Raleigh, having fallen into diſgrace, wrote the following letter to his friend ſir Robert Cecil, with a view, no doubt, of having it ſhown to the queen: "My heart "was never broke till this day, that I hear the queen "goes away ſo far off, whom I have followed ſo many "years, with ſo great love and deſire, in ſo many "journeys, and am now left behind her in a dark priſon "all alone. While ſhe was yet near at hand, that I "might hear of her once in two or three days, my ſor-"rows were the leſs; but even now my heart is caſt "into the depth of all miſery. I, that was wont to "behold her riding like Alexander, hunting like Diana, "walking like Venus, the gentle wind blowing her fair "hair about her pure cheeks, like a nymph, ſometimes "ſitting in the ſhade like a goddeſs, ſometimes ſinging "like an angel, ſometimes playing like Orpheus; be-"hold the ſorrow of this world! once amiſs hath be-"reaved me of all. O glory that only ſhineth in miſ-"fortune! what is become of thy aſſurance? All wounds "have ſcars but that of fantaſy: All affections their "relenting but that of womankind. Who is the judge "of friendſhip but adverſity, or when is grace witneſſed "but in offences? There were no divinity but by reaſon "of compaſſion; for revenges are brutiſh and mortal. "All thoſe times paſt, the loves, the ſighs, the ſor-"rows, the deſires, cannot they weigh down one frail "misfortune? Cannot one drop of gall be hid in ſo

" great heaps of ſweetneſs? I may then conclude, *Spes* " *& fortuna, valete.* She is gone in whom I truſted; " and of me hath not one thought of mercy, nor any " reſpect of that which was. Do with me now therefore " what you liſt. I am more weary of life than they are " deſirous I ſhould periſh; which if it had been for her, " as it is by her, I had been too happily born." Murden, p. 657. It is to be remarked that this nymph, Venus, goddeſs, angel, was then about ſixty. Yet five or ſix years after ſhe allowed the ſame language to be held to her. Sir Henry Unton, her ambaſſador in France, relates to her a converſation which he had with Henry IV. The monarch, after having introduced Unton to his miſtreſs, the fair Gabrielle, aſked him how he liked her? " I anſwered ſparingly in her praiſe," ſaid the miniſter, " and told him, that if, without offence, I might ſpeak " it, I had the picture of a far more excellent miſtreſs, " and yet did her picture come far ſhort of her perfection " of beauty. As you love me, ſaid he, ſhow it me if " you have it about you. I made ſome difficulties; yet, " upon his importunity, offered it to his view very ſe- " cretly, holding it ſtill in my hand: He beheld it with " paſſion and admiration, ſaying that I had reaſon, *Je* " *me rends*, proteſting that he had never ſeen the like; " ſo, with great reverence, he kiſſed it twice or thrice, " I detaining it ſtill in my hand. In the end, with ſome " kind of contention, he took it from me, vowing that " I might take my leave of it; for he would not forego " it for any treaſure: And that, to poſſeſs the favour " of the lively picture, he would forſake all the world, " and hold himſelf moſt happy; with many other moſt " paſſionate ſpeeches." Murden, p. 718. For farther particulars on this head, ſee the ingenious author of the Catalogue of Royal and Noble Authors, article Eſſex.

NOTE [B], p. 42.

IT may not be amiſs to ſubjoin ſome paſſages of theſe ſpeeches; which may ſerve to give us a juſt idea of the government of that age, and of the political principles which

which prevailed during the reign of Elizabeth. Mr. Laurence Hyde propoſed a bill, entituled, An act for the explanation of the common law in certain caſes of letters patent. Mr. Spicer ſaid, This bill may touch the prerogative-royal, which, as I learned the laſt parliament, is ſo tranſcendent, that the —— of the ſubject may not aſpire thereunto. Far be it therefore from me, that the ſtate and prerogative-royal of the prince ſhould be tied by me, or by the act of any other ſubject. Mr. Francis Bacon ſaid, As to the prerogative-royal of the prince, for my own part, I ever allowed of it; and it is ſuch as I hope will never be diſcuſſed. The queen, as ſhe is our ſovereign, hath both an enlarging and reſtraining power. For by her prerogative ſhe may ſet at liberty things reſtrained by ſtatute law or otherwiſe, and ſecondly, by her prerogative ſhe may reſtrain things which be at liberty. For the firſt, ſhe may grant a *non obſtante* contrary to the penal laws.—With regard to monopolies, and ſuch like caſes, the caſe hath ever been to humble ourſelves unto her majeſty, and by petition deſire to have our grievances remedied, eſpecially when the remedy toucheth her ſo nigh in point of prerogative.—I ſay, and I ſay it again, that we ought not to deal, to judge, or meddle with her majeſty's prerogative. I wiſh, therefore, every man to be careful of this buſineſs. Dr. Bennet ſaid, He that goeth about to debate her majeſty's prerogative had need to walk warily. Mr. Laurence Hyde ſaid, For the bill itſelf, I made it, and I think I underſtand it: And far be it from this heart of mine to think, this tongue to ſpeak, or this hand to write any thing either in prejudice or derogation of her majeſty's prerogative-royal and the ſtate.—Mr. Speaker, quoth ſerjeant Harris, for ought I ſee, the houſe moveth to have this bill in the nature of a petition; it muſt then begin with more humiliation: And truly, ſir, the bill is good of itſelf, but the penning of it is ſomewhat out of courſe. Mr. Montagu ſaid, The matter is good and honeſt, and I like this manner of proceeding by bill well enough in this matter. The grievances are great, and I would note only unto you thus much, that the laſt par-

liament we proceeded by way of petition, which had no ſucceſsful effect. Mr. Francis More ſaid, I know the queen's prerogative is a thing curious to be dealt withal: Yet all grievances are not comparable. I cannot utter with my tongue, or conceive with my heart, the great grievances that the town and country, for which I ſerve, ſuffereth by ſome of theſe monopolies. It bringeth the general profit into a private hand, and the end of all this is beggary and bondage to the ſubjects. We have a law for the true and faithful currying of leather: There is a patent ſets all at liberty notwithſtanding that ſtatute. And to what purpoſe is it to do any thing by act of parliament, when the queen will undo the ſame by her prerogative? Out of the ſpirit of humiliation, Mr. Speaker, I do ſpeak it, there is no act of her's that hath been or is more derogatory to her own majeſty, more odious to the ſubject, more dangerous to the commonwealth, than the granting of theſe monopolies. Mr. Martin ſaid, I do ſpeak for a town that grieves and pines, for a country that groaneth and languiſhes, under the burden of monſtrous and unconſcionable ſubſtitutes to the monopolitans of ſtarch, tin, fiſh, cloth, oil, vinegar, ſalt, and I know not what; nay, what not? The principaleſt commodities both of my town and country are engroſt into the hands of theſe blood-ſuckers of the commonwealth. If a body, Mr. Speaker, being let blood, be left ſtill languiſhing without any remedy, how can the good eſtate of that body ſtill remain? Such is the ſtate of my town and country; the traffic is taken away, the inward and private commodities are taken away, and dare not be uſed without the licence of theſe monopolitans. If theſe blood-ſuckers be ſtill let alone to ſuck up the beſt and principaleſt commodities, which the earth there hath given us, what will become of us, from whom the fruits of our own ſoil, and the commodities of our own labour, which, with the ſweat of our brows, ever up to the knees in mire and dirt, we have laboured for, ſhall be taken by warrant of ſupreme authority, which the poor ſubject dare not gainſay? Mr. George Moore ſaid, We know the power of her majeſty cannot be reſtrained by any

any act: Why therefore ſhould we thus talk? Admit we ſhould make this ſtatute with a *non obſtante*; yet the queen may grant a patent with a *non obſtante*, to croſs this *non obſtante*. I think therefore it agreeth more with the gravity and wiſdom of this houſe to proceed with all humbleneſs by petition than bill. Mr. Downland ſaid, As I would be no let or overvehement in any thing, ſo I am not ſottiſh or ſenſeleſs of the common grievance of the commonwealth. If we proceed by way of petition, we can have no more gracious anſwer than we had the laſt parliament to our petition. But ſince that parliament we have no reformation. Sir Robert Wroth ſaid, I ſpeak, and I ſpeak it boldly, theſe patentees are worſe than ever they were. Mr. Hayward Townſend propoſed, that they ſhould make ſuit to her majeſty, not only to repeal all monopolies grievous to the ſubject, but alſo that it would pleaſe her majeſty to give the parliament leave to make an act that they might be of no more force, validity, or effect, than they are at the common law, without the ſtrength of her prerogative. Which though we might now do, and the act being ſo reaſonable, we might aſſure ourſelves her majeſty would not delay the paſſing thereof, yet we, her loving ſubjects, &c. would not offer, without her privity and conſent (the cauſe ſo nearly touching her prerogative), or go about to do any ſuch act.

On a ſubſequent day the bill againſt monopolies was again introduced, and Mr. Spicer ſaid, It is to no purpoſe to offer to tie her majeſty's hands by act of parliament, when ſhe may looſen herſelf at her pleaſure. Mr. Davies ſaid, God hath given that power to abſolute princes which he attributes to himſelf: *Dixi quod Dii eſtis.* (N. B. This axiom he applies to the kings of England.) Mr. ſecretary Cecil ſaid, I am ſervant to the queen, and before I would ſpeak and give conſent to a caſe that ſhould debaſe her prerogative, or abridge it, I would wiſh that my tongue were cut out of my head. I am ſure there were law-makers before there were laws: (Meaning, I ſuppoſe, that the ſovereign was above the laws.) One gentleman went about to poſſeſs us with

the execution of the law in an ancient record of 5 or 7 of Edward the third. Likely enough to be true in that time, when the king was afraid of the ſubject. If you ſtand upon law, and diſpute of the prerogative, hark ye what Bracton ſays, *Prærogativam noſtram nemo audeat diſputare.* And for my own part, I like not theſe courſes ſhould be taken. And you, Mr. Speaker, ſhould perform the charge her majeſty gave unto you in the beginning of this parliament, not to receive bills of this nature: For her majeſty's ears be open to all grievances, and her hands ſtretched out to every man's petitions.—When the prince diſpenſes with a penal law, that is left to the alteration of ſovereignty, that is good and irrevocable. Mr. Montague ſaid, I am loth to ſpeak what I know, leſt, perhaps, I ſhould diſpleaſe. The prerogative-royal is that which is now in queſtion, and which the laws of the land have ever allowed and maintained. Let us therefore apply by petition to her majeſty.

After the ſpeaker told the houſe that the queen had annulled many of the patents, Mr. Francis More ſaid, I muſt confeſs, Mr. Speaker, I moved the houſe both the laſt parliament and this, touching this point; but I never meant (and I hope the houſe thinketh ſo) to ſet limits and bounds to the prerogative-royal. He proceeds to move, that thanks ſhould be given to her majeſty; and alſo, that whereas divers ſpeeches had been moved extravagantly in the houſe, which doubtleſs have been told her majeſty, and perhaps ill conceived of by her, Mr. Speaker would apologize, and humbly crave pardon for the ſame. N. B. Theſe extracts were taken by Townſend, a member of the houſe, who was no courtier; and the extravagance of the ſpeeches ſeems rather to be on the other ſide: It will certainly appear ſtrange to us, that this liberty ſhould be thought extravagant. However, the queen, notwithſtanding her cajoling the houſe, was ſo ill ſatisfied with theſe proceedings, that ſhe ſpoke of them peeviſhly in her concluding ſpeech, and told them that ſhe perceived that private reſpects with them were privately maſked under public preſence.

There

There were ſome other topics in favour of prerogative, ſtill more extravagant, advanced in the houſe this parliament. When the queſtion of the ſubſidy was before them, Mr. ſerjeant Heyle ſaid, Mr. Speaker, I marvel much that the houſe ſhould ſtand upon granting of a ſubſidy or the time of payment, when all we have is her majeſty's, and ſhe may lawfully at her pleaſure take it from us: Yea, ſhe hath as much right to all our lands and goods as to any revenue of her crown. At which all the houſe hemmed, and laughed, and talked. Well, quoth ſerjeant Heyle, all your hemming ſhall not put me out of countenance. So Mr. Speaker ſtood up and ſaid, It is a great diſorder, that this houſe ſhould be ſo uſed.—So the ſaid ſerjeant proceeded, and when he had ſpoken a little while, the houſe hemmed again; and ſo he ſat down. In his latter ſpeech, he ſaid, he could prove his former poſition by precedents in the time of Henry the third, king John, king Stephen, &c. which was the occaſion of their hemming. It is obſervable, that Heyle was an eminent lawyer, a man of character. And though the houſe in general ſhowed their diſapprobation, no one cared to take him down, or oppoſe theſe monſtrous poſitions. It was alſo aſſerted this ſeſſion, that in the ſame manner as the Roman conſul was poſſeſſed of the power of rejecting or admitting motions in the ſenate, the ſpeaker might either admit or reject bills in the houſe. The houſe declared themſelves againſt this opinion; but the very propoſal of it is a proof at what a low ebb liberty was at that time in England.

In the year 1591, the judges made a ſolemn decree, that England was an abſolute empire, of which the king was the head. In conſequence of this opinion, they determined that, even if the act of the firſt of Elizabeth had never been made, the king was ſupreme head of the church; and might have erected, by his prerogative, ſuch a court as the eccleſiaſtical commiſſion; for that he was the head of all his ſubjects. Now that court was plainly arbitrary: The inference is, that his power was equally abſolute over the laity.

NOTE

NOTE [C] p. 67.

WE have remarked before, that Harriſon ſays, that in the reign of Henry VIII. there were hanged ſeventy-two thouſand thieves and rogues *(beſides other malefactors)*; this makes about two thouſand a year: But in queen Elizabeth's time, the ſame author ſays, there were only between three and four hundred a year hanged for theft and robbery: So much had the times mended. But in our age there are not forty a year hanged for thoſe crimes in all England. Yet Harriſon complains of the relaxation of the laws, that there were ſo few ſuch rogues puniſhed in his time. Our vulgar prepoſſeſſion in favour of the morals of former and rude ages is very abſurd and ill-grounded. The ſame author ſays, that there were computed to be ten thouſand gypſies in England; a ſpecies of banditti introduced about the reign of Henry VIII.; and he adds, that there will be no way of extirpating them by the ordinary courſe of juſtice: The queen muſt employ martial law againſt them. That race has now almoſt totally diſappeared in England, and even in Scotland, where there were ſome remains of them a few years ago. However arbitrary the exerciſe of martial law in the crown, it appears that nobody in the age of Elizabeth entertained any jealouſy of it.

NOTE [D], p. 71.

LORD Saliſbury computed theſe ſupplies only at 2,800,000 pounds. King James was certainly miſtaken when he eſtimated the queen's annual ſupplies at 137,000 pounds. It is curious to obſerve, that the miniſter, in the war begun in 1754, was in ſome periods allowed to laviſh in two months as great a ſum as was granted by parliament to queen Elizabeth in forty-five years. The extreme frivolous object of the late war [of 1754], and the great importance of hers, ſet this matter in a ſtill ſtronger light. Money too, we may obſerve, was in moſt particulars of the ſame value in both periods: She payed eight-pence a day to every foot ſoldier. But our late deluſions

deluſions have much exceeded any thing known in hiſtory, not even excepting thoſe of the cruſades. For I ſuppoſe there is no mathematical, ſtill leſs an arithmetical demonſtration, that the road to the Holy Land was not the road to Paradiſe, as there is, that the endleſs increaſe of national debts is the direct road to national ruin. But having now completely reached that goal, it is needleſs at preſent to reflect on the paſt. It will be found in the preſent year, 1776, that all the revenues of this iſland north of Trent and weſt of Reading, are mortgaged or anticipated for ever. Could the ſmall remainder be in a worſe condition, were thoſe provinces ſeized by Auſtria and Pruſſia? There is only this difference, that ſome event might happen in Europe which would oblige theſe great monarchs to diſgorge their acquiſitions. But no imagination can figure a ſituation which will induce our creditors to relinquiſh their claims, or the public to ſeize their revenues. So egregious indeed has been our folly, that we have even loſt all title to compaſſion in the numberleſs calamities that are waiting us.

NOTE [E], p. 76.

HARRISON, *in his Deſcription of Britain, printed in* 1577, *has the following paſſage,* chap. 13. Certes, there is no prince in Europe that hath a more beautiful ſort of ſhips than the queen's majeſty of England at this preſent; and thoſe generally are of ſuch exceeding force, that two of them being well appointed and furniſhed as they ought, will not let to encounter with three or four of them of other countries, and either bowge them or put them to flight, if they may not bring them home.—The queen's highneſs hath at this preſent already made and furniſhed to the number of one and twenty great ſhips, which lie for the moſt part in Gillingham road. Beſide theſe, her grace hath other in hand alſo, of whom hereafter, as their turns do come about, I will not let to leave ſome farther remembrance. She hath likewiſe three notable gallies, the Speedwell, the Tryeright, and the Black Galley, with the ſight whereof, and the reſt of the

navy-royal, it is incredible to ſay how marvellouſly her grace is delighted; and not without great cauſe, ſith by their means her coaſts are kept in quiet, and ſundry foreign enemies put back, which otherwiſe would invade us. *After ſpeaking of the merchant-ſhips, which he ſays are commonly eſtimated at ſeventeen or eighteen hundred, he continues:* I add, therefore, to the end all men ſhould underſtand ſomewhat of the *great maſſes of treaſure* daily employed upon our navy, how there are few of thoſe ſhips of the firſt and ſecond ſort (that is of the merchant-ſhips), that being apparelled and made ready to ſail, are not worth one thouſand pounds, or three thouſand ducats at the leaſt, if they ſhould preſently be ſold. What ſhall we then think of the navy-royal, of which ſome one veſſel is worth two of the other, as the ſhipwright has often told me?—It is poſſible that ſome covetous perſon, hearing this report, will either not credit at all, or ſuppoſe money ſo employed to be nothing profitable to the queen's coffers, as a good huſband ſaid once, when he heard that proviſions ſhould be made for armour, wiſhing the queen's money to be rather laid out to ſome ſpeedier return of gain unto her grace: But if he wiſt that the good keeping of the ſea is the ſafeguard of our land, he would alter his cenſure, and ſoon give over his judgment. *Speaking of the foreſts, this author ſays,* An infinite deal of wood hath been deſtroyed within theſe few years, and I dare affirm, that, if wood do go ſo faſt to decay in the next hundred years of grace, as they have done, or are like to do in this, it is to be feared that ſea-coal will be good merchandize even in the city of London. Harriſon's prophecy was fulfilled in a very few years; for about 1615, there were two hundred ſail employed in carrying coal to London.

NOTE [F], p. 81.

LIFE of Burleigh publiſhed by Collins, p. 44. The author hints, that this quantity of plate was conſidered only as ſmall in a man of Burleigh's rank. His words are, *his plate was not above fourteen or fifteen thouſand pounds:*

pounds: That he means pounds weight is evident. For, by Burleigh's will, which is annexed to his life, that nobleman gives away in legacies, to friends and relations, near four thouſand pounds weight, which would have been above twelve thouſand pounds ſterling in value. The remainder he orders to be divided into two equal portions; the half to his eldeſt ſon and heir; the other half to be divided equally among his ſecond ſon and three daughters. Were we therefore to underſtand the whole value of his plate to be only fourteen or fifteen thouſand pounds ſterling, he left not the tenth of it to the heir of his family.

NOTE [G], p. 82.

HARRISON ſays, "The greateſt part of our building "in the cities and good towns of England conſiſteth "only of timber, caſt over with thick clay to keep out "the wind. Certes, this rude kind of building made "the Spaniards in queen Mary's days to wonder; but "chiefly when they ſaw that large diet was uſed in many "of theſe ſo homely cottages, inſomuch that one of "no ſmall reputation amongſt them ſaid, after this "manner; theſe Engliſh, quoth he, have their houſes "made of ſticks and dirt, but they fare commonly "ſo well as the king. Whereby it appeareth that he "liked better of our good fare in ſuch coarſe cabins, "than of their own thin diet in their princely habitations "and palaces. The clay with which our houſes are "commonly impanelled is either white, red, or blue." The author adds, that the new houſes of the nobility are commonly of brick or ſtone, and that glaſs windows were beginning to be uſed in England.

NOTE [H], p. 84.

THE following are the words of Roger Aſcham, the queen's preceptor: "It is your ſhame (I ſpeak to you "all, you young gentlemen of England), that one "maid ſhould go beyond ye all in excellency of learning, "and knowledge of divers tongues. Point out ſix of "the beſt given gentlemen of this court, and all they

"together

" together ſhow not ſo much good will, ſpend not " ſo much time, beſtow not ſo many hours daily, " orderly, and conſtantly, for the increaſe of learning " and knowledge as doth the queen's majeſty herſelf. " Yea, I believe that, beſides her perfect readineſs in " Latin, Italian, French, and Spaniſh, ſhe readeth here " now at Windſor more Greek every day, than ſome " prebendary of this church doth Latin in a whole week. " —Amongſt all the benefits which God had bleſſed me " withal, next the knowledge of Chriſt's true religion, I " count this the greateſt, that it pleaſed God to call me " to be one poor miniſter in ſetting forward theſe excel- " lent gifts of learning," &c. Truly, ſays Harriſon, it is a rare thing with us now to hear of a courtier which hath but his own language; and to ſay how many gentlewomen and ladies there are that, beſides ſound knowledge of the Greek and Latin tongues, are thereto no leſs ſkilful in the Spaniſh, Italian, and French, or in ſome of them, it reſteth not in me, ſith I am perſuaded, that as the noblemen and gentlemen do ſurmount in this behalf, ſo theſe come little or nothing at all behind them for their parts; which induſtry God continue.—The ſtranger, that entereth in the court of England upon the ſudden, ſhall rather imagine himſelf to come into ſome public ſchool of the univerſity, where many give ear to one that readeth unto them, than into a prince's palace, if you confer thus with thoſe of other nations. By this account the court had profited by the example of the queen: The ſober way of life practiſed by the ladies of Elizabeth's court appears from the ſame author. Reading, ſpinning, and needle-work, occupied the elder; muſic the younger.

NOTE [I], p. 102.

SIR Charles Cornwallis, the king's ambaſſador at Madrid, when preſſed by the duke of Lerma to enter into a league with Spain, ſaid to that miniſter; *though his majeſty was an* abſolute *king, and therefore not bound to give an account to any, of his actions; yet that*

ſo

ſo gracious and regardful a prince he was of the love and contentment of his own ſubjects, as I aſſured myſelf he would not think it fit to do any thing of ſo great conſequence without acquainting them with his intentions. Winwood, vol. ii. p. 222. Sir Walter Raleigh has this paſſage in the preface to his Hiſtory of the World. *Philip* II. *by ſtrong hand and main force, attempted to make himſelf not only an* abſolute monarch *over the Netherlands, like unto the kings and monarchs of England and France, but Turk-like, to tread under his feet all their natural and fundamental laws, privileges, and ancient rights.* We meet with this paſſage in ſir John Davis's Queſtion concerning Impoſitions, p. 161. "Thus we ſee by this compari-"ſon, that the king of England doth lay but his little "finger upon his ſubjects, when other princes and "ſtates do lay their heavy loins upon their people: "What is the reaſon of this difference? From whence "cometh it? aſſuredly not from a different power "or prerogative: For the king of England is as abſolute "a monarch as any emperor or king in the world, and "hath as many prerogatives incident to his crown." Coke, in Cawdry's caſe, ſays, "That by the ancient "laws of this realm, England is an *abſolute* empire and "monarchy; and that the king is furniſhed with plenary "and entire power, prerogative, and juriſdiction, and "is ſupreme governor over all perſons within this realm." Spenſer, ſpeaking of ſome grants of the Engliſh kings to the Iriſh corporations, ſays, "All which, though at the "time of their firſt grant they were tolerable, and per-"haps reaſonable, yet now are moſt unreaſonable and "inconvenient. But all theſe will eaſily be cut off, with "the ſuperior power of her majeſty's prerogative, againſt "which her own grants are not to be pleaded or enfor-"ced." State of Ireland, p. 1537. edit. 1706. The ſame author, in p. 1660, propoſes a plan for the civilization of Ireland; that the queen ſhould create a provoſt-marſhal in every county, who might ride about with eight or ten followers in ſearch of ſtragglers and vagabonds: The firſt time he catches any, he may puniſh them more lightly by the ſtocks; the ſecond time, by whip-

ping; but the third time, he may hang them, without trial or proceſs, on the firſt bough: And he thinks that this authority may more ſafely be entruſted to the provoſt-marſhal than to the ſheriff; becauſe the latter magiſtrate, having a profit by the eſcheats of felons, may be tempted to hang innocent perſons. Here a real, abſolute, or rather deſpotic power is pointed out; and we may infer from all theſe paſſages, either that the word *abſolute* bore a different ſenſe from what it does at preſent, or that men's ideas of the Engliſh, as well as Iriſh government, were then different. This latter inference ſeems juſter. The word, being derived from the French, bore always the ſame ſenſe as in that language. An abſolute monarchy in Charles I.'s anſwer to the nineteen propoſitions is oppoſed to a limited; and the king of England is acknowledged not to be abſolute: So much had matters changed even before the civil war. In ſir John Forteſcue's Treatiſe of abſolute and limited Monarchy, a book written in the reign of Edward the IVth, the word *abſolute* is taken in the ſame ſenſe as at preſent; and the government of England is alſo ſaid not to be abſolute. They were the princes of the houſe of Tudor chiefly who introduced that adminiſtration, which had the appearance of abſolute government. The princes before them were reſtrained by the barons; as thoſe after them by the houſe of commons. The people had, properly ſpeaking, little liberty in either of theſe ancient governments, but leaſt in the more ancient.

NOTE [K], p. 103.

EVEN this parliament, which ſhowed ſo much ſpirit and good ſenſe in the affair of Goodwin, made a ſtrange conceſſion to the crown, in their fourth ſeſſion. Toby Mathews, a member, had been baniſhed by order of the council upon direction from his majeſty. The parliament not only acquieſced in this arbitrary proceeding, but iſſued writs for a new election. Such novices were they as yet in the principles of liberty! See Journ. 14 Feb. 1609. Mathews was baniſhed by the king, on account

count of his change of religion to popery. The king had an indulgence to thoſe who had been educated catholics; but could not bear the new converts. It was probably the animoſity of the commons againſt the papiſts, which made them acquieſce in this precedent, without reflecting on the conſequences! The jealouſy of liberty, though rouſed, was not yet thoroughly enlightened.

NOTE [L], p. 106.

AT that time men of genius and enlarged minds had adopted the principles of liberty, which were as yet pretty much unknown to the generality of the people. Sir Matthew Hales has publiſhed a remonſtrance againſt the king's conduct towards the parliament during this ſeſſion. The remonſtrance is drawn with great force of reaſoning, and ſpirit of liberty; and was the production of ſir Francis Bacon and ſir Edwin Sandys, two men of the greateſt parts and knowledge in England. It is drawn in the name of the commons; but as there is no hint of it in the Journals, we muſt conclude, either that the authors, ſenſible that the ſtrain of the piece was much beyond the principles of the age, had not ventured to preſent it to the houſe, or that it had been for that reaſon rejected. The dignity and authority of the commons are ſtrongly inſiſted upon in this remonſtrance; and it is there ſaid, that their ſubmiſſion to the ill treatment, which they received during the latter part of Elizabeth's reign, had proceeded from their tenderneſs towards her age and her ſex. But the authors are miſtaken in theſe facts: For the houſe received and ſubmitted to as bad treatment in the beginning and middle of that reign. The government was equally arbitrary in Mary's reign, in Edward's, in Harry the eighth and ſeventh's. And the farther we go back into hiſtory, though there might be more of a certain irregular kind of liberty among the barons, the commons were ſtill of leſs authority.

NOTE [M], p. 110.

THIS parliament paſſed an act of recognition of the king's title in the moſt ample terms. They recogniſed

and acknowledged, that immediately upon the diſſolution and deceaſe of Elizabeth, late queen of England, the imperial crown thereof did, by inherent birthright and lawful and undoubted ſucceſſion, deſcend and come to his moſt excellent majeſty, as being lineally, juſtly, and lawfully next and ſole heir of the blood royal of this realm. 1 James I. cap. 1. The puritans, though then prevalent, did not think proper to diſpute this great conſtitutional point. In the recognition of queen Elizabeth, the parliament declares, that the queen's highneſs is, and in very deed and of moſt mere right ought to be, by the laws of God and by the laws and ſtatutes of this realm, our moſt lawful and rightful ſovereign, liege lady and queen, &c. It appears, then, that if king James's *divine right* be not mentioned by parliament, the omiſſion came merely from chance, and becauſe that phraſe did not occur to the compiler of the recognition; his title being plainly the ſame with that of his predeceſſor, who was allowed to have a *divine* right.

NOTE [N], p. 117.

SOME hiſtorians have imagined, that the king had ſecret intelligence of the conſpiracy, and that the letter to Monteagle was written by his direction, in order to obtain the praiſe of penetration in diſcovering the plot. But the known facts refute this ſuppoſition. That letter, being commonly talked of, might naturally have given an alarm to the conſpirators, and made them contrive their eſcape. The viſit of the lord chamberlain ought to have had the ſame effect. In ſhort, it appears, that nobody was arreſted or inquired after for ſome days, till Fawkes diſcovered the names of the conſpirators. We may infer, however, from a letter in Winwood's Memorials, vol. ii. p. 171. that Saliſbury's ſagacity led the king in his conjectures, and that the miniſter, like an artful courtier, gave his maſter the praiſe of the whole diſcovery.

NOTE

NOTE [O], p. 131.

WE find the king's anſwer in Winwood's Memorials, vol. iii. p. 193. 2d edit. "To the third and fourth "(namely, that it might be lawful to arreſt the king's "ſervants without leave; and that no man ſhould be "enforced to lend money, nor to give a reaſon why he "would not) his majeſty ſent us an anſwer, that be-"cauſe we brought precedents of antiquity to ſtrengthen "thoſe demands, he allowed not of any precedents "drawn from the time of uſurping or decaying princes, "or people too bold and wanton; that he deſired not "to govern in that commonwealth, where ſubjects ſhould "be aſſured of all things, and hope for nothing. It "was one thing *ſubmittere principatum legibus*; and "another thing *ſubmittere principatum ſubditis*. That "he would not leave to poſterity ſuch a mark of weak-"neſs upon his reign; and therefore his concluſion was, "*non placet petitio, non placet exemplum*: Yet with "this mitigation, that in matters of loans he would "refuſe no reaſonable excuſe, nor ſhould my lord cham-"berlain deny the arreſting of any of his majeſty's "ſervants, if juſt cauſe was ſhown." The parliament, however, acknowledged at this time with thankfulneſs to the king, that he allowed diſputes and inquiries about his prerogative, much beyond what had been indulged by any of his predeceſſors. This very ſeſſions, he expreſly gave them leave to produce all their grievances without exception.

NOTE [P], p. 134.

IT may not be unworthy of obſervation, that James, in a book called *The true Laws of free Monarchies*, which he publiſhed a little before his acceſſion to the crown of England, affirmed, "That a good king, al-"though he be above the law, will ſubject and frame "his actions thereto, for example's ſake to his ſubjects, "and of his own free-will, but not as ſubject or bound "thereto."

" thereto." In another paſſage, " According to the " fundamental law already alledged, we daily ſee, that " in the parliament (which is nothing elſe but the " head-court of the king and his vaſſals) the laws are " but craved by his ſubjects, and only made by him at " their rogation, and with their advice. For albeit the " king *make daily* ſtatutes and ordinances, enjoining " ſuch pains thereto as he thinks meet, without any " advice of parliament or eſtates; yet it lies in the " power of no parliament to make any kind of law or " ſtatute, without his ſceptre be to it, for giving it the " force of a law." It is not to be ſuppoſed that, at ſuch a critical juncture, James had ſo little ſenſe as, directly, in ſo material a point, to have openly ſhocked what were the univerſal eſtabliſhed principles of that age: On the contrary, we are told by hiſtorians, that nothing tended more to facilitate his acceſſion, than the good opinion entertained of him by the Engliſh, on account of his learned and judicious writings. The queſtion, however, with regard to the royal power was, at this time, become a very dangerous point; and without employing ambiguous, inſignificant terms, which determined nothing, it was impoſſible to pleaſe both king and parliament. Dr. Cowell, who had magnified the prerogative in words too intelligible, fell this ſeſſion under the indignation of the commons. The king himſelf, after all his magnificent boaſts, was obliged to make his eſcape through a diſtinction, which he framed between a king *in abſtracto* and a king *in concreto*: An abſtract king, he ſaid, had all power; but a concrete king was bound to obſerve the laws of the country which he governed. But, how bound? By conſcience only? Or might his ſubjects reſiſt him and defend their privileges? This he thought not fit to explain. And ſo difficult is it to explain that point, that, to this day, whatever liberties may be uſed by private inquirers, the laws have, very prudently, thought proper to maintain a total ſilence with regard to it.

NOTE

NOTE [Q], p. 149.

SO little fixed at this time were the rules of parliament, that the commons complained to the peers of a ſpeech made in the upper houſe by the biſhop of Lincoln; which it belonged only to that houſe to cenſure, and which the other could not regularly be ſuppoſed to be acquainted with. Theſe at leaſt are the rules eſtabliſhed ſince the parliament became a real ſeat of power, and ſcene of buſineſs. Neither the king muſt take notice of what paſſes in either houſe, nor either houſe of what paſſes in the other, till regularly informed of it. The commons, in their famous proteſtation 1621, fixed this rule with regard to the king, though at preſent they would not bind themſelves by it. But as liberty was yet new, thoſe maxims which guard and regulate it were unknown and unpractiſed.

NOTE [R], p. 169.

SOME of the facts in this narrative, which ſeem to condemn Raleigh, are taken from the king's declaration, which being publiſhed by authority, when the facts were recent, being extracted from examinations before the privy-council, and ſubſcribed by ſix privy-counſellors, among whom was Abbot archbiſhop of Canterbury, a prelate nowiſe complaiſant to the court, muſt be allowed to have great weight, or rather to be of undoubted credit. Yet the moſt material facts are confirmed either by the nature and reaſon of the thing, or by ſir Walter's own apology and his letters. The king's declaration is in the Harleyan Miſcellany, vol. iii. No. 2.

1. There ſeems to be an improbability that the Spaniards, who knew nothing of Raleigh's pretended mine, ſhould have built a town in ſo wide a coaſt, within three miles of it. The chances are extremely againſt ſuch a ſuppoſition: And it is more natural to think, that the view of plundering the town led him thither, than that of working a mine. 2. No ſuch mine is there found to this day. 3. Raleigh in fact found no mine, and in fact he

he plundered and burned a Spaniſh town. Is it not more probable, therefore, that the latter was his intention? How can the ſecrets of his breaſt be rendered ſo viſible as to counterpoiſe certain facts? 4. He confeſſes, in his letter to lord Carew, that though he knew it, yet he concealed from the king the ſettlement of the Spaniards on that coaſt. Does not this fact alone render him ſufficiently criminal? 5. His commiſſion empowers him only to ſettle on a coaſt poſſeſſed by ſavage and barbarous inhabitants. Was it not the moſt evident breach of orders to diſembark on a coaſt poſſeſſed by Spaniards? 6. His orders to Keymis, when he ſent him up the river, are contained in his own apology, and from them it appears, that he knew (what was unavoidable) that the Spaniards would reſiſt, and would oppoſe the Engliſh landing and taking poſſeſſion of the country. His intentions, therefore, were hoſtile from the beginning. 7. Without provocation, and even when at a diſtance, he gave Keymis orders to diſlodge the Spaniards from their own town. Could any enterpriſe be more hoſtile? And conſidering the Spaniards as allies to the nation, could any enterpriſe be more criminal? Was he not the aggreſſor, even though it ſhould be true that the Spaniards fired upon his men at landing? It is ſaid, he killed three or four hundred of them. Is that ſo light a matter? 8. In his letter to the king, and in his apology, he grounds his defence on former hoſtilities exerciſed by the Spaniards againſt other companies of Engliſhmen. Theſe are accounted for by the ambiguity of the treaty between the nations. And it is plain, that though theſe might poſſibly be reaſons for the king's declaring war againſt that nation, they could never entitle Raleigh to declare war, and without any commiſſion, or contrary to his commiſſion, to invade the Spaniſh ſettlements. He pretends indeed that peace was never made with Spain in the Indies: A moſt abſurd notion! The chief hurt which the Spaniards could receive from England was in the Indies; and they never would have made peace at all, if hoſtilities had been ſtill to be continued on theſe ſettlements. By ſecret agreement, the

Engliſh

Engliſh were ſtill allowed to ſupport the Dutch even after the treaty of peace. If they had alſo been allowed to invade the Spaniſh ſettlements, the treaty had been a full peace to England, while the Spaniards were ſtill expoſed to the full effects of war. 9. If the claim to the property of that country, as firſt diſcoverers, was good, in oppoſition to preſent ſettlement, as Raleigh pretends; why was it not laid before the king with all its circumſtances, and ſubmitted to his judgment? 10. Raleigh's force is acknowledged by himſelf to have been inſufficient to ſupport him in the poſſeſſion of St. Thomas againſt the power of which Spain was maſter on that coaſt; yet it was ſufficient, as he owns, to take by ſurpriſe and plunder twenty towns. It was not therefore his deſign to ſettle, but to plunder. By theſe confeſſions, which I have here brought together, he plainly betrays himſelf. 11. Why did he not ſtay and work his mine, as at firſt he projected? He apprehended that the Spaniards would be upon him with a greater force. But before he left England he knew that this muſt be the caſe, if he invaded any part of the Spaniſh colonies. His intention therefore never was to ſettle, but only to plunder. 12. He acknowledges that he knew neither the depth nor riches of the mine, but only that there was ſome ore there. Would he have ventured all his fortune and credit on ſo precarious a foundation? 13. Would the other adventurers, if made acquainted with this, have riſqued every thing to attend him? Ought a fleet to have been equipped for an experiment? Was there not plainly an impoſture in the management of this affair? 14. He ſays to Keymis, in his orders, Bring but a baſket-full of ore, and it will ſatisfy the king that my project was not imaginary. This was eaſily done from the Spaniſh mines; and he ſeems to have been chiefly diſpleaſed at Keymis for not attempting it. Such a view was a premeditated apology to cover his cheat. 15. The king in his declaration imputes it to Raleigh, that as ſoon as he was at ſea, he immediately fell into ſuch uncertain and doubtful talk of his mine, and ſaid, that it would be ſufficient if he brought home

home a baſket-full of ore. From the circumſtance laſt mentioned, it appears that this imputation was not without reaſon. 16. There are many other circumſtances of great weight in the king's declaration; that Raleigh, when he fell down to Plymouth, took no pioneers with him, which he always declared to be his intention; that he was nowiſe provided with inſtruments for working a mine, but had a ſufficient ſtock of warlike ſtores; that young Raleigh, in attacking the Spaniards, employed the words which, in the narration, I have put in his mouth; that the mine was moveable, and ſhifted as he ſaw convenient: Not to mention many other public facts, which prove him to have been highly criminal againſt his companions as well as his country. Howel, in his letters, ſays, that there lived in London, in 1645, an officer, a man of honour, who aſſerted, that he heard young Raleigh ſpeak theſe words, vol. ii. letter 63. That was a time when there was no intereſt in maintaining ſuch a fact. 17. Raleigh's account of his firſt voyage to Guiana proves him to have been a man capable of the moſt extravagant credulity or moſt impudent impoſture. So ridiculous are the ſtories which he tells of the Inca's chimerical empire in the midſt of Guiana; the rich city of El Dorado, or Manao, two days journey in length, and ſhining with gold and ſilver; the old Peruvian prophecies in favour of the Engliſh, who, he ſays, were expreſly named as the deliverers of that country, long before any European had ever touched there; the Amazons, or republic of women; and in general, the vaſt and incredible riches which he ſaw on that continent, where nobody as yet found any treaſures. This whole narrative is a proof that he was extremely defective either in ſolid underſtanding, or morals, or both. No man's character indeed ſeems ever to have been carried to ſuch extremes as Raleigh's, by the oppoſite paſſions of envy and pity. In the former part of his life, when he was active and lived in the world, and was probably beſt known, he was the object of univerſal hatred and deteſtation throughout England; in the latter part, when ſhut up in priſon, he became, much

much more unreaſonably, the object of great love and admiration.

As to the circumſtances of the narrative, that Raleigh's pardon was refuſed him, that his former ſentence was purpoſely kept in force againſt him, and that he went out under theſe expreſs conditions, they may be ſupported by the following authorities. 1. The king's word and that of ſix privy-counſellors, who affirm it for fact. 2. The nature of the thing. If no ſuſpicion had been entertained of his intentions, a pardon would never have been refuſed to a man to whom authority was entruſted. 3. The words of the commiſſion itſelf, where he is ſimply ſtyled ſir Walter Raleigh, and not *faithful and well-beloved*, according to the uſual and never-failing ſtyle on ſuch occaſions. 4. In all the letters which he wrote home to ſir Ralph Winwood and to his own wife, he always conſiders himſelf as a perſon unpardoned and liable to the law. He ſeems indeed, immediately upon the failure of his enterpriſe, to have become deſperate, and to have expected the fate which he met with.

It is pretended, that the king gave intelligence to the Spaniards of Raleigh's project; as if he had needed to lay a plot for deſtroying a man, whoſe life had been fourteen years, and ſtill was, in his power. The Spaniards wanted no other intelligence to be on their guard, than the known and public fact of Raleigh's armament. And there was no reaſon why the king ſhould conceal from them the project of a ſettlement, which Raleigh pretended, and the king believed, to be entirely innocent.

The king's chief blame ſeems to have lain in his negligence, in allowing Raleigh to depart without a more exact ſcrutiny: But for this he apologiſes by ſaying, that ſureties were required for the good behaviour of Raleigh and all his aſſociates in the enterpriſe, but that they gave in bonds for each other: A cheat which was not perceived till they had ſailed, and which increaſed the ſuſpicion of bad intentions.

Perhaps the king ought alſo to have granted Raleigh a pardon for his old treaſon, and to have tried him anew

for

for his new offences. His puniſhment in that caſe would not only have been juſt, but conducted in a juſt and unexceptionable manner. But we are told that a ridiculous opinion at that time prevailed in the nation (and it is plainly ſuppoſed by ſir Walter in his apology), that, by treaty, war was allowed with the Spaniards in the Indies, though peace was made in Europe: And while that notion took place, no jury would have found Raleigh guilty. So that had not the king puniſhed him upon the old ſentence, the Spaniards would have had a juſt cauſe of complaint againſt the king, ſufficient to have produced a war, at leaſt to have deſtroyed all cordiality between the nations.

This explication I thought neceſſary, in order to clear up the ſtory of Raleigh; which, though very obvious, is generally miſtaken in ſo groſs a manner, that I ſcarcely know its parallel in the Engliſh hiſtory.

NOTE [S], p. 177.

THIS parliament is remarkable for being the epoch, in which were firſt regularly formed, though without acquiring theſe denominations, the parties of court and country; parties which have ever ſince continued, and which, while they oft threaten the total diſſolution of the government, are the real cauſes of its permanent life and vigour. In the ancient feudal conſtitution, of which the Engliſh partook with other European nations, there was a mixture, not of authority and liberty, which we have ſince enjoyed in this iſland, and which now ſubſiſt uniformly together; but of authority and anarchy, which perpetually ſhocked with each other, and which took place alternately, according as circumſtances were more or leſs favourable to either of them. A parliament compoſed of barbarians, ſummoned from their fields and foreſts, uninſtructed by ſtudy, converſation, or travel; ignorant of their own laws and hiſtory, and unacquainted with the ſituation of all foreign nations; a parliament called precariouſly by the king, and diſſolved at his pleaſure; ſitting a few days, debating

bating a few points prepared for them, and whoſe members were impatient to return to their own caſtles, where alone they were great, and to the chaſe, which was their favourite amuſement: Such a parliament was very little fitted to enter into diſcuſſion of all the queſtions of government, and to ſhare, in a regular manner, the legal adminiſtration. The name, the authority of the king alone appeared in the common courſe of government; in extraordinary emergencies, he aſſumed, with ſtill better reaſon, the ſole direction; the imperfect and unformed laws left, in every thing, a latitude of interpretation; and when the ends purſued by the monarch were, in general, agreeable to his ſubjects, little ſcruple or jealouſy was entertained with regard to the regularity of the means. During the reign of an able, fortunate, or popular prince, no member of either houſe, much leſs of the lower, durſt think of entering into a formed party, in oppoſition to the court; ſince the diſſolution of the parliament muſt, in a few days, leave him unprotected, to the vengeance of his ſovereign, and to thoſe ſtretches of prerogative, which were then ſo eaſily made, in order to puniſh an obnoxious ſubject. During an unpopular and weak reign, the current commonly ran ſo ſtrong againſt the monarch, that none durſt inliſt themſelves in the court party; or if the prince was able to engage any conſiderable barons on his ſide, the queſtion was decided with arms in the field, not by debates or arguments in a ſenate or aſſembly. And upon the whole, the chief circumſtance, which, during ancient times, retained the prince in any legal form of adminiſtration, was, that the ſword, by the nature of the feudal tenures, remained ſtill in the hands of his ſubjects; and this irregular and dangerous check had much more influence than the regular and methodical limits of the laws and conſtitution. As the nation could not be compelled, it was neceſſary that every public meaſure of conſequence, particularly that of levying new taxes, ſhould ſeem to be adopted by common conſent and approbation.

The princes of the houſe of Tudor, partly by the vigour of their adminiſtration, partly by the concurrence of favourable circumſtances, had been able to eſtabliſh a more regular ſyſtem of government; but they drew the conſtitution ſo near to deſpotiſm, as diminiſhed extremely the authority of the parliament. That ſenate became, in a great degree, the organ of royal will and pleaſure: Oppoſition would have been regarded as a ſpecies of rebellion: And even religion, the moſt dangerous article in which innovations could be introduced, had admitted, in the courſe of a few years, four ſeveral alterations, from the authority alone of the ſovereign. The parliament was not then the road to honour and preferment: The talents of popular intrigue and eloquence were uncultivated and unknown: And though that aſſembly ſtill preſerved authority, and retained the privilege of making laws and beſtowing public money, the members acquired not, upon that account, either with prince or people, much more weight and conſideration. What powers were neceſſary for conducting the machine of government, the king was accuſtomed, of himſelf, to aſſume. His own revenues ſupplied him with money ſufficient for his ordinary expenſes. And when extraordinary emergencies occurred, the prince needed not to ſolicit votes in parliament, either for making laws or impoſing taxes, both of which were now become requiſite for public intereſt and preſervation.

The ſecurity of individuals, ſo neceſſary to the liberty of popular councils, was totally unknown in that age. And as no deſpotic princes, ſcarcely even the eaſtern tyrants, rule entirely without the concurrence of ſome aſſemblies, which ſupply both advice and authority; little but a mercenary force ſeems then to have been wanting towards the eſtabliſhment of a ſimple monarchy in England. The militia, though more favourable to regal authority than the feudal inſtitutions, was much inferior, in this reſpect, to diſciplined armies; and if it did not preſerve liberty to the people, it preſerved at leaſt the power, if ever the inclination ſhould ariſe, of recovering it.

But

But ſo low, at that time, ran the inclination towards liberty, that Elizabeth, the laſt of that arbitrary line, herſelf no leſs arbitrary, was yet the moſt renowned and moſt popular of all the ſovereigns that had filled the throne of England. It was natural for James to take the government as he found it, and to purſue her meaſures, which he heard ſo much applauded; nor did his penetration extend ſo far as to diſcover, that neither his circumſtances nor his character could ſupport ſo extenſive an authority. His narrow revenues and little frugality began now to render him dependant on his people, even in the ordinary courſe of adminiſtration: Their increaſing knowledge diſcovered to them that advantage, which they had obtained; and made them ſenſible of the ineſtimable value of civil liberty. And as he poſſeſſed too little dignity to command reſpect, and too much good-nature to impreſs fear, a new ſpirit diſcovered itſelf every day in the parliament; and a party, watchful of a free conſtitution, was regularly formed in the houſe of commons.

But nothwithſtanding theſe advantages acquired to liberty, ſo extenſive was royal authority, and ſo firmly eſtabliſhed in all its parts, that it is probable the patriots of that age would have deſpaired of ever reſiſting it, had they not been ſtimulated by religious motives, which inſpire a courage unſurmountable by any human obſtacle.

The ſame alliance which has ever prevailed between kingly power and eccleſiaſtical authority, was now fully eſtabliſhed in England; and while the prince aſſiſted the clergy in ſuppreſſing ſchiſmatics and innovators, the clergy, in return, inculcated the doctrine of an unreſerved ſubmiſſion and obedience to the civil magiſtrate. The genius of the church of England, ſo kindly to monarchy, forwarded the confederacy; its ſubmiſſion to epiſcopal juriſdiction; its attachment to ceremonies, to order, and to a decent pomp and ſplendour of worſhip; and, in a word, its affinity to the tame ſuperſtition of the catholics, rather than to the wild fanaticiſm of the puritans.

On the other hand, oppoſition to the church, and the perſecutions under which they laboured, were ſufficient to throw the puritans into the country party, and to beget political principles little favourable to the high pretenſions of the ſovereign. The ſpirit too of enthuſiaſm; bold, daring, and uncontrolled; ſtrongly diſpoſed their minds to adopt republican tenets; and inclined them to arrogate, in their actions and conduct, the ſame liberty which they aſſumed in their rapturous flights and ecſtaſies. Ever ſince the firſt origin of that ſect, through the whole reign of Elizabeth as well as James, *puritanical* principles had been underſtood in a double ſenſe, and expreſſed the opinions favourable both to political and to eccleſiaſtical liberty. And as the court, in order to diſcredit all parliamentary oppoſition, affixed the denomination of puritans to its antagoniſts; the religious puritans willingly adopted this idea, which was ſo advantageous to them, and which confounded their cauſe with that of the patriots or country party. Thus were the civil and eccleſiaſtical factions regularly formed; and the humour of the nation during that age running ſtrongly towards fanatical extravagancies, the ſpirit of civil liberty gradually revived from its lethargy, and by means of its religious aſſociate, from which it reaped more advantage than honour, it ſecretly enlarged its dominion over the greater part of the kingdom.

This Note was in the firſt editions a part of the text; but the author omitted it, in order to avoid, as much as poſſible, the ſtyle of diſſertation in the body of his hiſtory. The paſſage, however, contains views ſo important, that he thought it might be admitted as a note.

NOTE [T], p. 185.

THIS proteſtation is ſo remarkable, that it may not be improper to give it in its own words. "The com-
"mons now aſſembled in parliament, being juſtly occa-
"ſioned thereunto, concerning ſundry liberties, fran-
"chiſes, and privileges of parliament, amongſt others
"here mentioned, do make this proteſtation following:
"That

" That the liberties, franchiſes, and juriſdictions of par-
" liament are the ancient and undoubted birth-right and
" inheritance of the ſubjects of England; and that the
" urgent and arduous affairs concerning the king, ſtate,
" and defence of the realm, and of the church of Eng-
" land; and the maintenance and making of laws, and
" redreſs of miſchiefs and grievances, which daily happen
" within this realm, are proper ſubjects and matter of
" council and debate in parliament; and that in the
" handling and proceeding of thoſe buſineſſes, every
" member of the houſe of parliament hath, and of right
" ought to have, freedom of ſpeech to propound, treat,
" reaſon, and bring to concluſion the ſame; and that the
" commons in parliament have like liberty and freedom
" to treat of theſe matters, in ſuch order as in their judg-
" ment ſhall ſeem fitteſt, and that every member of the
" ſaid houſe hath like freedom from all impeachment, im-
" priſonment, and moleſtation (other than by cenſure of
" the houſe itſelf) for or concerning any ſpeaking, reaſon-
" ing, or declaring of any matter or matters touching the
" parliament or parliament-buſineſs. And that if any
" of the ſaid members be complained of and queſtioned
" for any thing done or ſaid in parliament, the ſame is to
" be ſhown to the king by the advice and aſſent of all
" the commons aſſembled in parliament, before the king
" give credence to any private information."

NOTE [U], p. 206.

THE moment the prince embarked at St. Andero's, he ſaid, to thoſe about him, that it was folly in the Spaniards to uſe him ſo ill, and allow him to depart: A proof that the duke had made him believe they were inſincere in the affair of the marriage and the Palatinate; for as to his reception, in other reſpects, it had been altogether unexceptionable. Beſides, had not the prince believed the Spaniards to be inſincere, he had no reaſon to quarrel with them, though Buckingham had. It appears, therefore, that Charles himſelf muſt have been deceived. The multiplied delays of the diſpenſation, though they

aroſe from accident, afforded Buckingham a plauſible pretext for charging the Spaniards with inſincerity.

NOTE [V], p. 208.

AMONG other particulars, he mentions a ſum of 80,000 pounds borrowed from the king of Denmark. In a former ſpeech to the parliament, he told them, that he had expended 500,000 pounds in the cauſe of the palatine, beſides the voluntary contribution given him by the people. But what is more extraordinary, the treaſurer, in order to ſhow his own good ſervices, boaſts to the parliament, that, by his contrivance, 60,000 pounds had been ſaved in the article of exchange in the ſums remitted to the palatine. This ſeems a great ſum, nor is it eaſy to conceive whence the king could procure ſuch vaſt ſums as would require a ſum ſo conſiderable to be paid in exchange. From the whole, however, it appears, that the king had been far from neglecting the intereſts of his daughter and ſon-in-law, and had even gone far beyond what his narrow revenue could afford.

NOTE [W], p. 209.

HOW little this principle had prevailed, during any former period of the Engliſh government, particularly during the laſt reign, which was certainly not ſo perfect a model of liberty as moſt writers would repreſent it, will eaſily appear from many paſſages in the hiſtory of that reign. But the ideas of men were much changed, during about twenty years of a gentle and peaceful adminiſtration. The commons, though James of himſelf had recalled all patents of monopolies, were not contented without a law againſt them, and a declaratory law too; which was gaining a great point, and eſtabliſhing principles very favourable to liberty: But they were extremely grateful, when Elizabeth, upon petition (after having once refuſed their requeſts), recalled a few of the moſt oppreſſive patents; and employed ſome ſoothing expreſſions towards them.

The

The parliament had ſurely reaſon, when they confeſſed, in the ſeventh of James, that he allowed them more freedom of debate than ever was indulged by any of his predeceſſors. His indulgence in this particular, joined to his eaſy temper, was probably one cauſe of the great power aſſumed by the commons. Monſieur de la Boderie, in his Deſpatches, vol. i. p. 499. mentions the liberty of ſpeech in the houſe of commons as a new practice.

NOTE [X], p. 214.

IT is certain that the young prince of Wales, afterwards Charles II. had proteſtant governors from his early infancy; firſt the earl of Newcaſtle, then the marquis of Hertford. The king, in his memorial to foreign churches, after the commencement of the civil wars, inſiſts on his care in educating his children in the proteſtant religion, as a proof that he was nowiſe inclined to the catholic. It can ſcarcely, therefore, be queſtioned, but this article, which had ſo odd an appearance, was inſerted only to amuſe the pope, and was never intended by either party to be executed.

NOTE [Y], p. 222.

"MONARCHIES," according to ſir Walter Raleigh, "are of two ſorts touching their power or autho-
"rity, *viz.* 1. Entire, where the whole power of order-
"ing all ſtate matters, both in peace and war, doth by
"law and cuſtom appertain to the prince, as in the Eng-
"liſh kingdom; where the prince hath the power to
"make laws, league and war; to create magiſtrates; to
"pardon life; of appeal, *&c.* Though to give a con-
"tentment to the other degrees, they have a ſuffrage in
"making laws, yet ever ſubject to the prince's pleaſure
"and negative will.—2. Limited or reſtrained, that hath
"no full power in all the points and matters of ſtate, as
"the military king that hath not the ſovereignty in time
"of peace, as the making of laws, *&c.* But in war
"only, as the Polonian king."

And

And a little after, "In every juſt ſtate, ſome part of "the government is, or ought to be, imparted to the peo- "ple, as in a kingdom, a voice and ſuffrage in making "laws; and ſometimes alſo of levying of arms (if the "charge be great, and the prince forced to borrow help "of his ſubjects), the matter rightly may be propound- "ed to a parliament, that the tax may *ſeem* to have pro- "ceeded from themſelves. So conſultations and ſome "proceedings in judicial matters may, in part, be refer- "red to them. The reaſon, leſt, ſeeing themſelves to be "in no number nor of reckoning, they miſlike the ſtate "of government." This way of reaſoning differs little from that of king James, who conſidered the privileges of the parliament as matters of grace and indulgence more than of inheritance. It is remarkable that Raleigh was thought to lean towards the puritanical party, notwith- ſtanding theſe poſitions. But ideas of government change much in different times.

Raleigh's ſentiments on this head are ſtill more openly expreſſed, in his *Prerogative of Parliament*, a work not publiſhed till after his death. It is a dialogue between a courtier or counſellor and a country juſtice of peace, who repreſents the patriot party, and defends the higheſt no- tions of liberty, which the principles of that age would bear. Here is a paſſage of it: "*Counſellor*. That which "is done by the king, with the advice of his private or "privy council, is done by the king's abſolute power. "*Juſtice*. And by whoſe power is it done in parliament "but by the king's abſolute power? Miſtake it not, my "lord: The three eſtates do but adviſe as the privy- "council doth; which advice, if the king embrace, it be- "comes the king's own act in the one, and the king's "law in the other, *&c.*"

The earl of Clare, in a private letter to his ſon-in-law ſir Thomas Wentworth, afterwards earl of Strafford, thus expreſſes himſelf: "We live under a prerogative govern- "ment, where book law ſubmits to *lex loquens*." He ſpoke from his own and all his anceſtors' experience. There was no ſingle inſtance of power which a king of England might not, at that time, exert on pretence of ne- ceſſity

ceſſity or expediency: The continuance alone or frequent repetition of arbitrary adminiſtration might prove dangerous, for want of force to ſupport it. It is remarkable that this letter of the earl of Clare was written in the firſt year of Charles's reign; and conſequently muſt be meant of the general genius of the government, not the ſpirit or temper of the monarch. See Strafford's Letters, vol. i. p. 32. From another letter in the ſame collection, vol. i. p. 10. it appears, that the council ſometimes aſſumed the power of forbidding perſons diſagreeable to the court, to ſtand in the elections. This authority they could exert in ſome inſtances; but we are not thence to infer, that they could ſhut the door of that houſe to every one who was not acceptable to them. The genius of the ancient government repoſed more truſt in the king, than to entertain any ſuch ſuſpicion, and it allowed ſcattered inſtances, of ſuch a kind as would have been totally deſtructive of the conſtitution, had they been continued without interruption.

I have not met with any Engliſh writer in that age who ſpeaks of England as a limited monarchy, but as an abſolute one, where the people have many privileges. That is no contradiction. In all European monarchies the people have privileges; but whether dependant or independent on the will of the monarch, is a queſtion, that, in moſt governments, it is better to forbear. Surely that queſtion was not determined before the age of James. The riſing ſpirit of the parliament, together with that king's love of general, ſpeculative principles, brought it from its obſcurity, and made it be commonly canvaſſed. The ſtrongeſt teſtimony that I remember from a writer of James's age, in favour of Engliſh liberty, is in cardinal Bentivoglio, a foreigner, who mentions the Engliſh government as ſimilar to that of the Low-country provinces under their princes, rather than to that of France or Spain. Engliſhmen were not ſo ſenſible that their prince was limited, becauſe they were ſenſible that no individual had any ſecurity againſt a ſtretch of prerogative: But foreigners, by compariſon, could perceive that theſe ſtretches were at that time, from cuſtom or other cauſes, leſs

leſs frequent in England than in other monarchies. Philip de Comines too remarked the Engliſh conſtitution to be more popular in his time than that of France. But in a paper written by a patriot in 1627, it is remarked that the freedom of ſpeech in parliament had been loſt in England ſince the days of Comines. See Franklyn, p. 233. Here is a ſtanza of Malherbe's Ode to Mary de Medicis, the queen-regent, written in 1614:

Entre les rois à qui cet age
Doit ſon principal ornement,
Ceux de la Tamiſe et du Tage
Font louer leur gouvernement:
Mais en de ſi calmes provinces,
Ou le peuple adore les princes,
Et met au gré le plus haut
L'honneur du ſceptre legitime,
Scauroit-on excuſer le crime
De ne regner pas comme il faut.

The Engliſh, as well as the Spaniards, are here pointed out as much more obedient ſubjects than the French, and much more tractable and ſubmiſſive to their princes. Though this paſſage be taken from a poet, every man of judgment will allow its authority to be deciſive. The character of a national government cannot be unknown in Europe; though it changes ſometimes very ſuddenly. Machiavel, in his Diſſertations on Livy, ſays repeatedly, that France was the moſt legal and moſt popular monarchy then in Europe.

NOTE [Z], p. 223.

PASSIVE obedience is expreſly and zealouſly inculcated in the homilies, compoſed and publiſhed by authority in the reign of queen Elizabeth. The convocation, which met in the very firſt year of the king's reign, voted as high monarchical principles as are contained in the decrees of the univerſity of Oxford, during the rule of the tories. Theſe principles, ſo far from being deemed a novelty, introduced by James's influence, paſſed ſo ſmoothly, that no hiſtorian has taken notice of them: They

They were never the ſubject of controverſy, or diſpute, or diſcourſe; and it is only by means of biſhop Overall's Convocation-book, printed near ſeventy years after, that we are acquainted with them. Would James, who was ſo cautious, and even timid, have ventured to begin his reign with a bold ſtroke, which would have given juſt ground of jealouſy to his ſubjects? It appears from that monarch's Baſilicon Doron, written while he was in Scotland, that the republican ideas of the origin of power from the people were, at that time, eſteemed puritanical novelties. The patriarchal ſcheme, it is remarkable, is inculcated in thoſe votes of the convocation preſerved by Overall; nor was Filmer the firſt inventor of thoſe abſurd notions.

NOTE [AA], p. 241.

THAT of the honeſt hiſtorian Stowe ſeems not to have been of this number. "The great bleſſings of God," ſays he, "through increaſe of wealth in the common "ſubjects of this land, eſpecially upon the citizens of "London; ſuch within men's memory, and chiefly within "theſe few years of peace, that, except there were now "due mention of ſome ſort made thereof, it would in "time to come be held incredible, &c." In another place, "Amongſt the manifold tokens and ſigns of the "infinite bleſſings of Almighty God beſtowed upon this "kingdom, by the wondrous and merciful eſtabliſhing of "peace within ourſelves, and the full benefit of concord "with all Chriſtian nations and others: Of all which "graces let no man dare to preſume he can ſpeak too "much; whereof in truth there can never be enough "ſaid, neither was there ever any people leſs conſiderate "and leſs thankful than at this time, being not willing "to endure the memory of their preſent happineſs, as "well as in the univerſal increaſe or commerce and traffic throughout the kingdom, great building of royal "ſhips and by private merchants, the re-peopling of "cities, towns, and villages, beſide the diſcernible and "ſudden increaſe of fair and coſtly buildings, as well

"within

" within the city of London as the ſuburbs thereof, " eſpecially within theſe twelve years, &c."

NOTE [BB], p. 270.

BY a ſpeech of ſir Simon D'Ewes, in the firſt year of the long parliament, it clearly appears, that the nation never had, even to that time, been rightly informed concerning the tranſactions of the Spaniſh negotiation, and ſtill believed the court of Madrid to have been altogether inſincere in their profeſſions. What reaſon, upon that ſuppoſition, had they to blame either the prince or Buckingham for their conduct, or for the narrative delivered to the parliament? This is a capital fact, and ought to be well attended to. D'Ewes's ſpeech is in Nalſon, vol. ii. p. 368. No author or hiſtorian of that age mentions the diſcovery of Buckingham's impoſtures as a cauſe of diſguſt in the parliament. Whitlocke, p. 1. only ſays, that the commons began to ſuſpect, *that it had been ſpleen in Buckingham*, not zeal for public good, *which had induced him to break the Spaniſh match*: A clear proof that his falſehood was not ſuſpected. Wilſon, p. 780. ſays, that Buckingham loſt his popularity after Briſtol arrived, not becauſe that nobleman diſcovered to the world the falſehood of his narrative, but becauſe he proved that Buckingham, while in Spain, had profeſſed himſelf a papiſt; which is falſe, and which was never ſaid by Briſtol. In all the debates which remain, not the leaſt hint is ever given that any falſehood was ſuſpected in the narrative. I ſhall farther add, that even if the parliament had diſcovered the deceit in Buckingham's narrative, this ought not to have altered their political meaſures, or made them refuſe ſupply to the king. They had ſuppoſed it practicable to wreſt the Palatinate by arms from the houſe of Auſtria; they had repreſented it as prudent to expend the blood and treaſure of the nation in ſuch an enterpriſe; they had believed that the king of Spain never had any ſincere intention of reſtoring that principality. It is certain that he had not now any ſuch intention: And though

though there was reaſon to ſuſpect, that this alteration in his views had proceeded from the ill conduct of Buckingham, yet paſt errors could not be retrieved; and the nation was undoubtedly in the ſame ſituation, which the parliament had ever ſuppoſed, when they ſo much haraſſed their ſovereign, by their impatient, importunate, and even undutiful ſolicitations. To which we may add, that Charles himſelf was certainly deceived by Buckingham, when he corroborated his favourite's narrative by his teſtimony. Party hiſtorians are ſomewhat inconſiſtent in their repreſentations of theſe tranſactions: They repreſent the Spaniards as totally inſincere, that they may reproach James with credulity in being ſo long deceived by them: They repreſent them as ſincere, that they may reproach the king, the prince, and the duke, with falſehood in their narrative to the parliament. The truth is, they were inſincere at firſt; but the reaſons, proceeding from bigotry, were not ſuſpected by James, and were at laſt overcome. They became ſincere; but the prince, deceived by the many unavoidable cauſes of delay, believed that they were ſtill deceiving him.

NOTE [CC], p. 300.

THIS petition is of ſo great importance, that we ſhall here give it at length. Humbly ſhow unto our ſovereign lord the king, the lords ſpiritual and temporal, and commons, in parliament aſſembled, That, whereas it is declared and enacted by a ſtatute made in the time of the reign of king Edward I. commonly called *Statutum de tallagio non concedendo*, that no tallage or aid ſhall be levied by the king or his heirs in this realm, without the good will and aſſent of the archbiſhops, biſhops, earls, barons, knights, burgeſſes, and other the freemen of the commonalty of this realm: And, by authority of parliament holden in the five and twentieth year of the reign of king Edward III. it is declared and enacted, That, from thenceforth, no perſon ſhall be compelled to make any loans to the king againſt his will, becauſe ſuch loans were againſt reaſon, and the franchiſe of the land: And, by

other laws of this realm, it is provided, that none ſhould be charged by any charge or impoſition called a benevolence, or by ſuch like charge: By which the ſtatutes before mentioned, and other the good laws and ſtatutes of this realm, your ſubjects have inherited this freedom, that they ſhould not be compelled to contribute to any tax, tallage, aid, or other like charge, not ſet by common conſent in parliament.

II. Yet nevertheleſs, of late divers commiſſions directed to ſundry commiſſioners in ſeveral counties, with inſtructions, have iſſued; by means whereof your people have been in divers places aſſembled, and required to lend certain ſums of money unto your majeſty, and many of them, upon their refuſal ſo to do, have had an oath adminiſtered unto them not warrantable by the laws or ſtatutes of this realm, and have been conſtrained to become bound to make appearance and give attendance before your privy-council, and in other places; and others of them have been therefore impriſoned, confined, and ſundry other ways moleſted and diſquieted: And divers other charges have been laid and levied upon your people, in ſeveral counties, by lord-lieutenants, deputy-lieutenants, commiſſioners for muſters, juſtices of peace, and others, by command or direction from your majeſty, or your privy-council, againſt the laws and free cuſtoms of this realm.

III. And whereas alſo, by the ſtatute called *The great charter of the liberties of England*, it is declared and enacted, That no freeman may be taken or impriſoned, or be diſſeiſed of his freehold or liberties, or his free cuſtoms, or be outlawed or exiled, or in any manner deſtroyed, but by the lawful judgment of his peers, or by the law of the land.

IV. And, in the eight and twentieth year of the reign of king Edward III. it was declared and enacted, by authority of parliament, That no man, of what eſtate or condition that he be, ſhould be put out of his land or tenements, nor taken, nor impriſoned, nor diſherited, nor put to death, without being brought to anſwer by due proceſs of law.

V. Ne-

V. Nevertheleſs, againſt the tenour of the ſaid ſtatutes, and other the good laws and ſtatutes of your realm to that end provided, divers of your ſubjects have of late been impriſoned without any cauſe ſhowed; and when, for their deliverance, they were brought before juſtice, by your majeſty's writs of *habeas corpus*, there to undergo and receive as the court ſhould order, and their keepers commanded to certify the cauſes of their detainer, no cauſe was certified, but that they were detained by your majeſty's ſpecial command, ſignified by the lords of your privy-council, and yet were returned back to ſeveral priſons, without being charged with any thing to which they might make anſwer according to the law.

VI. And whereas of late great companies of ſoldiers and mariners have been diſperſed into divers counties of the realm, and the inhabitants againſt their wills have been compelled to receive them into their houſes, and there to ſuffer them to ſojourn, againſt the laws and cuſtoms of this realm, and to the great grievance and vexation of the people.

VII. And whereas alſo, by authority of parliament, in the five and twentieth year of the reign of king Edward III. it is declared and enacted, That no man ſhall be forejudged of life or limb againſt the form of the *Great charter*, and law of the land; and, by the ſaid *Great charter*, and other the laws and ſtatutes of this your realm, no man ought to be judged to death but by the laws eſtabliſhed in this your realm, either by the cuſtoms of the ſame realm, or by acts of parliament: And whereas no offender, of what kind ſoever, is exempted from the proceedings to be uſed, and puniſhments to be inflicted by the laws and ſtatutes of this your realm: Nevertheleſs, of late divers commiſſions, under your majeſty's great ſeal, have iſſued forth, by which certain perſons have been aſſigned and appointed commiſſioners, with power and authority to proceed within the land, according to the juſtice of martial law againſt ſuch ſoldiers and mariners, or other diſſolute perſons joining with them, as ſhould commit any murder, robbery, felony, mutiny, or other outrage or miſdemeanour whatſoever, and by ſuch

ſummary courſe and order as is agreeable to martial law, and as is uſed in armies in time of war, to proceed to the trial and condemnation of ſuch offenders, and them to cauſe to be executed and put to death according to the law martial.

VIII. By pretext whereof ſome of your majeſty's ſubjects have been, by ſome of the ſaid commiſſioners, put to death, when and where, if, by the laws and ſtatutes of the land, they had deſerved death, by the ſame laws and ſtatutes alſo they might, and by no other ought, to have been judged and executed.

IX. And alſo ſundry grievous offenders, by colour thereof claiming an exemption, have eſcaped the puniſhments due to them by the laws and ſtatutes of this your realm, by reaſon that divers of your officers and miniſters of juſtice have unjuſtly refuſed or forborn to proceed againſt ſuch offenders, according to the ſame laws and ſtatutes, upon pretence that the ſaid offenders were puniſhable only by martial law, and by authority of ſuch commiſſions as aforeſaid: Which commiſſions, and all other of like nature, are wholly and directly contrary to the ſaid laws and ſtatutes of this your realm.

X. They do therefore humbly pray your moſt excellent majeſty, That no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or ſuch like charge, without common conſent, by act of parliament: And that none be called to make anſwer, or take ſuch oath, or to give attendance, or be confined or otherwiſe moleſted or diſquieted, concerning the ſame, or for refuſal thereof: And that no freeman, in any ſuch manner as is before mentioned, be impriſoned or detained: And that your majeſty would be pleaſed to remove the ſaid ſoldiers and mariners, and that people may not be ſo burdened in time to come; and that the aforeſaid commiſſions, for proceeding by martial law, may be revoked and annulled: And that hereafter no commiſſions of like nature may iſſue forth, to any perſon or perſons whatſoever, to be executed as aforeſaid, leſt, by colour of them, any of your majeſty's ſubjects be deſtroyed, or put to death, contrary to the laws and franchiſe of the land.

XI. All

XI. All which they moſt humbly pray of your moſt excellent majeſty, as their rights and liberties, according to the laws and ſtatutes of this realm: And that your majeſty would alſo vouchſafe to declare, That the awards, doings, and proceedings to the prejudice of your people, in any of the premiſes, ſhall not be drawn hereafter into conſequence or example: And that your majeſty would be alſo graciouſly pleaſed, for the further comfort and ſafety of your people, to declare your royal will and pleaſure, that in the things aforeſaid, all your officers and miniſters ſhall ſerve you according to the laws and ſtatutes of this realm, as they tender the honour of your majeſty, and the proſperity of this kingdom.

NOTE [DD], p. 312.

THE reaſon aſſigned by ſir Philip Warwick, p. 2. for this unuſual meaſure of the commons, is, that they intended to deprive the crown of the prerogative, which it had aſſumed, of varying the rates of the impoſitions, and at the ſame time were reſolved to cut off the new rates fixed by James. Theſe were conſiderable diminutions both of revenue and prerogative; and whether they would have there ſtopped, conſidering their preſent diſpoſition, may be much doubted. The king, it ſeems, and the lords, were reſolved not to truſt them; nor to render a revenue once precarious, which perhaps they might never afterwards be able to get re-eſtabliſhed on the old footing.

THE END OF VOL. VII.